Steel walls, military-style attack raids, people hunted down to be beaten, and sometimes killed, by government agents. Politicians speaking the language of ethnic cleansing. This description is not of Northern Ireland, Palestine, or Bosnia. It instead a picture of United States/Mexico border. In these editors' notes, we give you an introduction to the topics found in this bi-national "Borders" issue of Race, Poverty & the Environment.

The Border as a Rightwing Political Issue

The border has become a major political issue in the U.S., and much has been said in the U.S. Congress concerning immigration "reform." This past summer a strongly anti-immigrant immigration bill passed both the House and the Senate with overwhelming support from both Republicans and Democrats, and was signed by President Clinton.

Jose Bravo, with the Southwest Network for Environmental & Economic Justice (SNEEJ) in San Diego, provided an analysis of what's happening on the border: "The speeches of Pat Buchanan about closing the borders between the US/Mexico are echoing in the halls of Congress of the United States, saying to immigrants, You are not welcome.' It sounds like a re-establishing of the Jim Crow days of 'whites only.'" Buchanan and other far-right advocates are for the closing of the US/Mexico borders, building a triple-steel Berlin Wall between the two nations, and using military forces, such as the Marines and National Guard, more extensively. "Plans exist to build huge 'concentration camps' for deportees," says Bravo.

In the opinion of Jeane Gauna, Director of the Southwest Organizing Project (SWOP), "much of this campaign by the Republican right seems to be based on fear, xenophobia, racism and white supremacism. The federalizing of California's Proposition 187 (which sought to deny health care and education to undocumented immigrants), passing English-only laws, dismantling affirmative action programs, and the closing of the borders are all part of the same climate of repressive laws and repressive actions. The climate prevalent on the borders is the result of institutionalized racism."

Repression on the Border

The repressive climate on the border can be seen in many forms. Of particular importance is the role of the Border Patrol. The brutal beatings in Riverside, California, and the many deaths of people as a result of high-speed chases by Border Patrol agents have only been in the news for several months, but they are examples of daily actions by the Border Patrol and are not isolated incidents.

The 2,000 mile border touches four southwestern United States and six northern Mexican border states. The border is controlled at the international crossings by Customs agents from the Treasury Department and the Immigration & Naturalization Service (INS) Border Patrol. To exercise tighter control of the borders, countless permanent highway checkpoints have been established in the last decade. These checkpoints, where government agents stop cars for verification of citizenship or residency, are located on all roads leading from border cities and towns, in the U.S., and in Mexico as well. These stops can be demeaning to those involved. "The Border Patrol has sniffing dogs at most checkpoints and routinely will..."
bring the dog into your car to sniff for drugs," says long-time South Texas resident Chavel Lopez. Additionally, the INS sets up so-called "lightning" checkpoints on different county and state roads, to stop cars to search for undocumented immigrants and for drugs. Border residents report that most pulled over are Latino. "Who gets stopped and pulled over for a search or for being 'suspicious'? Mexicans, Mexican Americans, and Chicanos," observes Lopez.

**Military-style Operations**

The federal program of the INS and Border Patrol are orchestrated from Washington D.C., and amount to a giant human-hunt going on throughout the country. The INS has a history of launching military-type operations, such as "Operation Wetback" in the '50s. Border activists report that they have experienced a recent surge of military style operations on different segments of the border. In the San Ysidro sector of California and Baja California it was "Operation Gate Keeper," and in the desert land linking Anapra, Coahuila in Mexico and Sunland Park, New Mexico, and El Paso/Cuidad Juárez it was "Operation Hold the Line."

According to the newspapers, in the last year the INS and the Border Patrol have placed more than 1,000 new agents on the southern border, bringing their total to 5,000-6,000 agents. While Congress cut almost every budget line item in this year's controversial budget, one item was augmented significantly: the INS and the Border Patrol budget.

As co-chairs of **SNEEJ**’s Border Justice Campaign, we have traveled throughout the **U.S./Mexico** border area, and can say that the whole of the **U.S./Mexico** border has suddenly been militarized in function if not in policy or law. A virtual state of siege is ever present on the borders. The Border Patrol stops you just for **looking** suspicious — which most of the time means looking brown. In such an environment of repression and terror, nerves are getting tense. Recently, in Eagle Pass, Texas, a firefight between Border Patrol agents and some unknown assailants resulted in the death of a Border Patrol officer. This will surely bring a reprisal against immigrants crossing the border without documents; each time such events occur, border residents fear the possible escalation of the undeclared border war. Already the National Guard and the U.S. Marines are being utilized on the border. They perform numerous tasks, such as, staffing secondary search areas, and welding and constructing the steel "Berlin Wall."

**Steel "Berlin Wall"**

The border has a new steel Berlin Wall starting about a quarter mile from the Pacific Ocean, splitting the International Friendship Park that used to connect both borders into one beach. The wall runs all the way through and past Tijuana for miles. The 10-foot-high steel wall is made of left-over Vietnam War-era steel pontoon bridges, topped by razor-sharp military-style barbed wire. At intervals along the steel Berlin Wall, video cameras and high beam spotlights are located and run by remote control from communication centers, where the Border Patrol also monitors sensors used to detect people. These sensors are surplus Vietnam War material, once used to detect traffic on the Ho Chi Minh Trail, now used to detect people who trip them off while crossing the U.S./Mexico border. The steel Berlin Wall now exists in Tijuana/San Diego, California, in Nogales and Douglas in Arizona, in Nogales and Agua Prieta in Sonora, and now between Anapra, Chihuahua and Sunland Park, New Mexico. Slowly, the steel Berlin Wall is being extended from the Pacific Ocean to the Gulf of Mexico.

**Raid**s

Another symptom of the militarization of the border is military-style raids on immigrants far from the border. In cities like Chicago and Los Angeles, and in states like Tennessee, Texas, and the Carolinas, the INS has mounted surprise assault deportation raids with such ideological spin-names as "Operation Protecting American Workers." These raids target work-places where Latinos and Asians work.

---

**The North American Free Trade Agreement**

When Congress was debating the North American Free Trade Agreement (NAFTA), the Clinton administration said that NAFTA would create jobs in Mexico and cut international migration to the United States from Mexico and Latin America. Since NAFTA’s passage, however, the opposite seems to be true. NAFTA has displaced so many Mexican farmworkers, indigenous people, and urban dwellers that pressure is even greater in Mexico for people to emigrate to the United States.

Under NAFTA, numerous bridges have been built along the borders with public and private money, in order to open the free trade of goods. Ironically, at the same time, the free flow of people is being all but halted: people crossing the same international bridges are confronted by more repression. Many of the international bridges have cement barricades set up in a maze to force cars to drive slowly through the barricades. These barricades, which resemble British occupation army road blockades in Northern Ireland, are to keep vehicles from **running** the border. Many activist along the U.S./Mexico border agree that the North American Free Trade Agreement (NAFTA) made the Southern border open and free for products flowing into the United States from companies operating maquiladoras in Mexico and Central America, while militarizing the U.S.’s southern border and leaving the northern border and the west and east coasts practically free. Why the discriminatory treatment? Why the radically different treatment of the northern and southern U.S. borders? Border justice activists will continue to push for answers to these questions, and changes in these policies.

**Rubén Solís** is director of the **Southwest Public Workers Union in San Antonio. Cipriana Jurado is an organizer for workers rights and social and environmental justice in Ciudad Juarez. They serve as co-chairs of the Border Justice Campaign of the Southwest Network for Environmental and Economic Justice.**
Profile:
Tijuana, Mexico

Tijuana is in the Mexican state of Baja California. It is situated just south of San Diego, California. Tijuana and San Diego are the largest border cities in their respective countries. U.S. citizens have been crossing freely into Tijuana in large numbers most of this century: in search of alcohol when prohibition was U.S. law; as Chinese and Japanese fled repressive WWII policies in the U.S.; later as draft evaders fled Vietnam War policies; and then as tourists, an industry heavily supported by the presence of the enormous U.S. Navy bases in San Diego. Mexicans have also been crossing this border, although not so freely—in fact often at great cost.

The most recent group of people from the U.S. to frequent Tijuana are the corporate bosses connected to the burgeoning Maquiladora Industrial Park. These tourists are of a special class, making day trips from their luxury homes and yachts in San Diego. One difference between these and other tourists is that these tourists are coming back across the border with millions in profits, not curios from Ensenada or Tijuana. And, while in Mexico, these tourists receive a special, unprinted tourist card where an unwritten rule has permitted them to subtly and blatantly violate dozens of Mexican laws.

Maurilio Sanchez has been wondering about this for years. He is president of a group known as the Citizens Committee for the Restoration of the Canyon. "Why is it that when any of us go over the border into the U.S., our people, each and every one, is expected to follow every [U.S.] law, or we are quickly kicked out of the U.S. But then U.S. companies come to Mexico, don’t speak the language, and break all sorts of Mexican laws, and they get tax breaks as a reward?"

Maurilio’s group is struggling to stem the tide of illness afflicting people in his neighborhood, where skin diseases, hair loss, gastrointestinal problems, and birth defects are the norm and on the rise. He lives just under a mesa that is part of the 672 - factory Maquiladora Industrial Park. Situated just four hundred feet above Maurilio’s home among the 672 others is Metals y Sus Derivades, or Metals and Their Derivatives, a recently closed lead-recycling facility.

"The community didn’t have these kind of problems before the maquilas came. When we moved here, my family and many others who came from the south of Mexico, we came because it was so beautiful here. In this colonia we drank water right from the streams, part of this area was an ecological reserve. Now, in 1995, if we drank water from the streams in this canyon, it would kill us. Now we have to bring water from other cleaner rivers further away, like the Colorado, and it is too expensive. This is really incongruent, it is ironic that we no longer have our own clean water."

The community group has been fighting since 1983. "What we are really concerned about, and when we became really concerned for the first time was when we began to notice that the children in the neighborhood were getting different kinds of sicknesses. They were coming home with rashes, getting headaches, having nerve damage, and so we began to go and complain, first verbally, to the local health authorities about what was happening. But they never took our concerns seriously. So, we decided to put everything we knew at that point into writing. On the 12th of January, 1983, we organized a meeting with participants from different colonias in the surrounding area to attack the problems that were affecting our community and that were threatening our lives. We have raised our subject with the members of our communities, with the secretary of the state, with the local mayor. At that first meeting in January of 1983 a new community organization was born made up of colonias. Since this day we have really been struggling. We have been threatened. We have been jailed. They have threatened to end our lives. We have been offered bribes to stop what we are...
Chimpanzingo barrio, Tijuana, Mexico — Toxic gases and liquid wastes foul air and streams in the neighborhoods of the maquilas. Newspaper vendors wear masks as they hawk their papers. School children have to cross rivers of sewage and chemical wastes that flow from the maquilas down into neighborhood streets. Photo © Donna DeCesare, Impact Visuals.

For more than a decade, Alco Pacifico was the recipient of highly toxic materials from the U.S., under the pretense of recycling, yet much of it was simply dumped without regard to its environmental and human health impacts. Alco Pacifico, now an abandoned plant, is situated in the settlement of El Florido, home to 5,000 people, in a barrio called Ojo de Agua, where 1,500 of El Florido’s inhabitants reside. The area is a Cuenca Lechero or milk producing area, and sits just south of Tijuana.

A large dairy that provides milk to Tijuana residents sits a stones throw away from 10 and 15-foot high piles of lead slag on the adjacent 14 acre plot of land that once belonged to Alco. There are hills of lead, 4,000 tons of toxic slag. Mounds of metal so dangerous that the tiniest fraction of a percent recently discovered in crayons in the U.S. was billed as a major health risk if a child even casually played with one (they were immediately removed from the U.S. market). The fence which once surrounded the plant has corroded away and lies in shambles. The piles of lead slag blow freely about in the heavy winds that are common in El Florido.

doing, but we have never accepted any of these nor given in to the threats. It is not our mentality to do that, to just accept personal gains or advantages because of our fight."

"Those of us living here, close to the points of production and contamination, we are fighting the industries to make them stop the poisoning. We cannot let them continue to put us in such danger. We have been struggling for ten years, and we will keep struggling. We have the support and power of the people. And, we have had some victories. The closing of Alco Pacifico was a big victory. We still have to get the site cleaned up, but at least it is closed. And we have been able to change the production processes of some of the factories."

The “Alco Pacifico” that Maurilio refers to is a typically horrific example of corporations and greed gone amuck. Alco Pacifico was the Mexican subsidiary of a Los Angeles-based company named Alco Pacific. Alco Pacific in the U.S. contracted with its Mexican subsidiary to recycle and recover lead from old car batteries and other used U.S. items. One of the contracts was with a Texas-based company named RSR, who bills itself as the largest recycler of car batteries in the world.
On June 15, 1993, in what was a landmark case of its kind, a court in Los Angeles found Alco Pacific and RSR guilty of illegally transporting hazardous waste. Prosecutors from the Environmental Crimes Division of the Los Angeles County District Attorney’s office secured a $2.5 million settlement against RSR, $2 million of which is being given by the LA authorities to clean up the site in El Florido. The prosecutors went further and convicted Morris Kirk, the CEO of Alco Pacifico-US to a 16 month jail term which he began to serve in the beginning of 1994.

While on its face justice was served in this one very rare instance, it isn’t clear how far this will get the local residents of El Florido. It is estimated, for example, that it could easily take $20 million to clean up the site, far more than the $2 million to come from RSR. Since the case was settled, nothing has happened. The Mexican government is to submit a plan to the L.A. authorities explaining how it will clean up the site. No progress has been made thus far, a situation that many expected. Local activists believe that one reason that legal action was taken in this case was to try to quell fears during the NAFTA authorization fight. Now that NAFTA has passed, the environment is once again a low priority.

The former workers of the plant were abandoned without pay, along with the site. They too remain waiting for a taste of border justice. Under Mexican law, they were entitled to the machinery and property of the plant because the owner fled without paying the workers. Their hope is to recoup back pay from some future profits that would come from selling the Alco property. This isn’t likely to yield much given the level and type of the massive lead contamination on the old plant site.

Aside from their proximity to El Florido, and the danger of ingesting dairy products that come from the area around Alco, Maurilio’s neighborhood, Colonia Chilpancingo, faces an international sacrifice zone of their own. The Metalis y sus Derivades plant is closed, another community victory, but it too remains completely contaminated. The residents are sick and growing more ill. The Colonia has been traumatized by the destruction of its physical environment, the human health crisis, and the public authorities’ utter indifference.

Day in and out, people and groups like Maurilio’s are keeping up the fight to hold these multinational companies accountable. "We have no one specific campaign at this moment. We have a permanent, long-term campaign that takes on the maquilas in the industrial park here. We are struggling with three levels of government and with the company bosses, and we are trying to get them to comply with at least the existing laws. At some point these companies have to make the decision to become responsible partners, and, ultimately, if they destroy the environment, they will destroy themselves. They are always saying that we are against the companies themselves, but that is not true. We are only against the poisonous and life threatening production processes that they are using."

Letters from the Front Lines
Caion del Padre:
A Portrait of Irresponsibility
by Maurilio Sanchez Pachuca

Tijuana, Mexico -- The 13th of January of 1996 made 13 years of suffering because of the official irresponsibility of three levels of government. No level of government has had the political will power to attend to the problems of industrial contamination that are causing devastation to the health of more than 25,000 families who live throughout the infamous Caion del Padre, also known as La Cuenca del Alam.

Today, Caion del Padre is visited by many groups of people from all over the world. One of the popular stops with ecotourists is what’s left of the infamous battery recycling enterprise named (Metals and its Derivatives), a U.S.-owned company that when it closed down left tons of lead slag at the site, contaminated with 46,000 parts per million of lead.

The Citizens Committee for Restoration of the Caion del Padre was born on January 12 of 1983, as a result of the indifference of local authorities to the complaints about the health effects of local industry presented by different neighbors. This is how the citizens’ struggle began.

The Citizens Committee has been honored as the organization that started the struggle against the industrial and domestic contamination in Tijuana, Baja California. It has been active: leading protest marches, taking over government offices, having press conferences, holding demonstrations in the industrial zone of Otay, closing off the Tijuana-Tecate highway. Out of this constant work we have also had our triumphs, such as making ecological education a subject in the schools, stopping air-polluting facilities, forcing the closing of the Alco Pacific company and Metals and its Derivatives. We have also passed an environmental law for the state of Baja California. Despite this progress, there is still a lot to be done because the the people who run industry only look to their own interests and they deny information to those who contribute in making them richer through their work — the workers.

With the firm support of non-governmental organizations in the United States, such as the Environmental Health Coalition of San Diego and the Southwest Network for Environmental and Economic Justice, we are stronger. It is difficult to struggle to feed a family and protect the environment, but the support from outside our community helps us. For this, we thank them.

Finally we want to ask everybody to read this message — it is not written technically, but with feeling and the heart of one who is living with the serious problem of the industrial contamination and the governmental irresponsibility of the U.S. and Mexico.

Maurilio Sanchez Pachuca is president of the Citizens Committee for Restoration of the Caion del Padre, an affiliate of the Southwest Network for Environmental & Economic Justice.
**Letters from the Frontlines**

**The Border, Paradise for the Industrialists**

by Martha Rocha

*Tijuana, Mexico* — There is no doubt that the industrial race is going very fast in comparison with the struggle of the environmental groups, who find themselves cut off by government authorities aligned with the interests of polluters.

Communities often tend to react slowly to situations, which makes our work and its results slow and sometimes misunderstood. When we assist different conferences held in Tijuana, for example, we see the same faces and the same government characters pretending to be concerned about the environment. But when we see the lists of the individuals who made these conferences possible, we are often surprised to find out that industries with bad reputations like Chemical Waste Management (ChemWaste) or Pacific Treatment, are partly responsible for them. In Tijuana, the Colegio de la Frontera organized a very important conference in October, 1995, on which ChemWaste and Pacific Treatment collaborated. It is incomprehensible to us — or maybe too easy to understand — why this happens. Colegio de la Frontera told us that ChemWaste offered $1,000 towards the event because the Colegio had run out of money and had no way of raising more. Supposedly, the employee who accepted this offer was fired. We investigated how he was "punished" and we discovered that he was given the position of Director of the State Ecology.

What is behind all this? For me, it is very clear. There is an association of ideas, an affinity of actions, and maybe, thinking in a malicious way, a conspiracy. What work awaits us? A lot of work, raising dormant communities' conscience, being vigilant, and above all keeping the desire to denounce the corrupt officials who are allies of these companies.

Unfortunately, environmental groups are few and the officials say that we are the "obstacles." They also say that we only make noise during elections. The reality is that only at election time do they pay attention to what we say. They spend the rest of the time in their own world, with no concern for what happens in the community.

All of this creates a "paradise for the industrialists." What's more, Mexican officials advertise worldwide that some of the lowest salaries in the world are paid in Mexico, followed by Singapore with five times our salary. The guarantee of employment is non-existent and these companies are not required to pay benefits. This is how the industrialists of the world are invited to operate on the border.

Citizen, wake up!

*Martha Rocha is President of Amas de Casa de Playas de Tijuana, an affiliate of the Southwest Network for Environmental & Economic Justice.*

---

**By Jose Bravo**

During the week of December 11-15, 1995 the Environmental Health Coalition, along with community members from Calexico, California, and Mexicali, Baja California, Mexico, testified to the National Environmental Justice Advisory Council (NEJAC) in Washington, D.C. With graphic and often gruesome detail, they gave firsthand testimony on the serious environmental and health problems surrounding the New River.

Those who testified, representing broad geographical constituencies, were not only eye-witness commentators on the problems. The trip to Washington became a form of community activism for Daniel Luna, a high school student, Marina Lamarque, a teacher in Calexico, and Cynthia Marquez, a U.S. citizen residing in Mexicali, Baja California, the northern border state in Mexico. Cesar Luna, the new director of the Border Environmental Justice Campaign, represented EHC. The purpose of bringing the issue to NEJAC was the belief that race played a major role in the lack of response to the New River by the federal government. The Imperial Valley is a primarily Latino farmworker community.

NEJAC is a federal advisory committee. It was established by charter on September 30, 1993, to provide independent advice, consultation, and recommendations to the Environmental Protection Agency (EPA) on matters related to environmental justice. Composed of 25 members and one designated federal officer, the Council also serves as the parent council of six subcommittees. Each of these subcommittees deals with a specific topic of environmental justice.

During the time given over to public comment before the Council, the witnesses described the many problems that riverside communities face as the result of federal and state inaction on the New River.
Lots of Talk, No Action

The bad health and environmental conditions of the New River are the substance of grim jokes by people who live on or near its banks, Marina Lamarque told the Council. The disproportionate health risks that the river brings to these communities of color and the poor, however, are not a laughing matter. Every day hundreds of gallons of water filled with industrial waste from maquiladoras (manufacturing plants) in Mexicali pour into the river. Pesticides and untreated sewage flow through communities in the Mexicali and Imperial Valleys. Citizens of the region have been exposed to health and environmental problems associated with the New River since 1944, Lamarque pointed out.

Lamarque also presented letters from doctors in Calexico stating that the current high number of asthma cases and patients with stomach problems could be tied to the health threats posed by the New River. She described how foam from the river is at times blown by the wind and lands in a nearby supermarket. "There has been a lot of talk but no action," she concluded.

Washing with Polluted Water

Daniel Luna, a high school student in Calexico, California, spoke about a recent study that he and classmates conducted on New River conditions. He described how the students did their field research. They went to specific areas and talked with people directly affected by the pollution emanating from the New River. They told the Council about squatters, those people who live on the Mexican side of the New River and live in houses built of any material available. According to Luna, people used the contaminated water for washing clothes and watering house plants.

On the U.S. side of the border, Daniel Luna explained, even casual observation found the river contained more than water. Floating in the New River on any given day are animal carcasses, bottles, car parts, cans, tires, even an occasional human body. Luna concluded by demanding that responsible officials be prosecuted for their lack of action in protecting the community, and demanded that the Council require the present public authorities to clean the heavily polluted New River.

Pollution Needs No Passport

Cynthia Marquez, a student and resident of Mexicali, Mexico, exposed the problems communities face on the Mexican side of the border. As a U.S. citizen residing on the Mexican side, Cynthia told the Council that the environmental justice issues surrounding the New River were of a regional nature. Political divisions cannot stop pollution and the health risks associated with the toxic New River.

Cesar Luna, Director of the Border Environmental Justice Campaign of the Environmental Health Coalition, summarized for the Council the many occasions when U.S. and Mexico have agreed to clean up the New River but, in fact, ignored these agreements after...
they were made. For example, the International Boundary and Water Commission (IBWC), the agency responsible for the care of international waters, has passed a series of such agreements since 1980. These agreements outline solutions to the New River sanitation problem. According to Luna, however, "the New River remains a combination of chemical and biological waste that flows through communities of color and of low income on both sides of the border."

Luna also pointed to the lack of response on the part of the EPA to the subpoenas issued to 94 U.S. companies with subsidiaries in Mexicali. As the result of an administrative petition filed by EHC, the Southwest Network for Economic and Environmental Justice and Comite Ciudadano por Restauracion del Cañon del Padre, the EPA formally issued subpoenas to U.S. companies requiring information on the companies' hazardous materials and waste that could potentially escape into the New River. As a result of the petition, the EPA also agreed to conduct water quality monitoring in the New River to determine the type and amount of contaminants present in its waters.

Luna concluded by presenting the following request to the Council:

1) to have NEJAC's Subcommittee on International Issues hold a public meeting in Calexico, California, in order to hear the needs and concerns of the affected community;

2) to request the IBWC to release all data gathered in a recent water quality monitoring report — conducted with the U.S. Geological Service — to the public, and to communicate that those who live near the river are still at risk;

3) to demand that the EPA follow up with the enforcement process to those companies that have not sufficiently complied with subpoenas;

4) to urge the EPA to implement an efficient hazardous waste tracking system that can be available to communities; and

5) to encourage the EPA to work with Mexico in instituting an industrial pre-treatment system in the maquiladora program.

After the testimony before the Council, the group visited Congressman Duncan Hunter, Representative of the area of Imperial Valley. During the visit the group communicated to Rep. Hunter the many concerns surrounding the New River. Hunter responded by saying that some federal moneys had already been allocated to the New River, and promised he would see to it that the public obtain the results of the IBWC water monitoring study.

After the testimony and the interview with Rep. Hunter, Lamarque was optimistic. "This was very important for residents of Imperial County. Everyone seemed interested and receptive. We hope that now that we have brought the problem to them and to Washington, D.C., we can start seeing some action to clean up the river."

Jose Bravo works with the Southwest Network for Environmental and Economic Justice, in San Diego. This article is reprinted from the Toxinformer.

Profile: Nogales

Nogales is a border town which carries the same name in each country: Nogales, Arizona, U.S. and Nogales, Sonora, Mexico. The area around Nogales was populated originally by Apache and Papago peoples. When the Spanish came, they were met by heavy and consistent resistance by the Apache.

In the 1500s, the area was targeted to be a mission frontier, with three different Franciscan churches. One of them, the Magdalena de Kino, which still stands, is the annual site of a 270-year-old religious pilgrimage in the Mexican state of Sonora. Of the three mission structures built by the Spanish, only one was regularly able to function in its time due to successful attacks by the area Apache.

Following the Spanish, the second group of foreigners to arrive and colonize this area were European settlers in search of gold and westward expansion. The Nogales Pass became an important point of entry back into the U.S. for westward travellers who would travel south in Mexico to avoid going through Apache country in what is now Texas. In the late 1800s, the importance of Nogales as a key border crossing escalated again as it was one of the first places that the U.S. and Mexican rail lines met.

Nogales today retains its role as a major rail and now trucking point of passage. A full half of all the winter vegetables that are consumed in Canada and the U.S. are grown in the fields south of Nogales and transported through this border crossing on their way to U.S. and Canadian markets. But Nogales is no longer just a major produce export center; it now also houses an industrial park with 98 maquiladora plants.

Ana Acuno's family has been in Nogales for three generations. She is the co-founder of LIFE, which stands for Living Is For Everyone. LIFE is a local community group on the Arizona side formed in response to the highly disproportionate rates of cancer, lupus, and other diseases found among its population. She says of the days when the maquilas were first coming, "everyone in the community really welcomed the plants. We thought it meant good jobs. And, no one saw any smoke stacks, so we thought it was clean industry. It was about this same time, twenty years ago, when we began to see an upswing in the illnesses."

Ana has lupus, an auto-immune disease where one's body overproduces antibodies and they begin to eat away healthy parts of one's system, the collagen and organs. There is no cure for lupus and it can be terminal. "I have learned to
manage my disease well, but you just feel like hell a lot of the time. About 90% of the time you have inflammation, joint pain, puffed eyes, depression, diarrhea and you're on an emotional roller coaster." She believes, as do many members of the community on both sides of the border, that the illness and suffering that many families are experiencing is due to environmental contamination. The area houses a concentration of maquilas utilizing toxic materials. There is a cattle dipping operation where U.S. and Mexican cattle are taken to be soaked in Co-Rale Flowable (Coumaphos), a chemical banned for use in the U.S. yet regularly applied just a few miles south of the border. There are a myriad of other small industries that are Mexican-owned, quite a few of which use hazardous materials.

Besides the industrial contamination, both Nogales' are infamous for having had historic bouts of hepatitis. A 1990 Arizona Department of Environmental Quality (ADEQ) study of groundwater found levels of Fecal Coliform (FC) bacteria in excess of the state drinking water standards. Despite chlorination efforts, the FC persisted.

Nogales, Sonora is now home to 250,000 people, a population which has doubled in just ten years. The population increase can be attributed to the rapid industrial growth of the maquiladora industrial park and its promise of jobs. Typical of the maquila areas, where taxes are low as part of the package to attract foreign plants, the local government has few resources with which to build desperately needed infrastructure such as waste treatment facilities, electricity, water and septic systems, sanitation, and housing.

The result is a large population living in colonias where no services exist and bacterial disease flourishes. According to Tereza Leal, a local resident of 26 years in Nogales, Sonora, "people living in the colonias have little choice but to buy used industrial barrels on the black market to use at their homes as holding tanks for water which they must buy in town. This is the water that families are bathing in, drinking from and cooking with. On the side of almost every barrel is an English-language warning that the barrels are for industrial use only. Now how healthy can the water be when stored in a steel container that once contained hazardous chemicals? Plus, in order to make sure they don't leak any of the water, people put tar and

---

Nogales, Sonora, Mexico—
Nogales is considered the fourth best city in Mexico for jobs. VECESA Maquiladora manufactures cable systems and harnesses. These workers are employed 9.6 hours per day at minimum wages of $0.55/hour. This particular factory has approximately 120 employees and sub-leases out other assemblies. Their main account is AT&T.

Photo © Amy Zuckerman, Impact Visuals.
cement in the barrels to line them." Tereza explains that even the water which colonia residents must pay for is coming from contaminated aquifers. The main well in town sits directly under the dilapidated facilities of La Tometera, an old Mexican metal-plating facility.

In another part of town on the Mexican side, residents living near the large railyards have for years been exposed to the systematic dumping of oil and petroleum-based products from cleaning the Mexican trains. While driving through town, one can readily see the oil on the ground, as well as evidence of recent efforts by local officials to simply mound dirt on top of this oil waste.

In February of 1994, 4,000 people in Nogales, (3,000 on the Mexican side and another 1,000 on the U.S. side), were forced to evacuate homes and businesses when Mexican authorities discovered high quantities of petroleum-based products flowing through the main sewer system. For almost ten hours, the chemical scare horrified local residents who well remembered the deadly explosion in Guadalajara in 1992, caused by a similar release of huge quantities of petrochemicals into the sewer system there. To date there has been no determination of the origin of the sewage dumping which called national attention to Nogales.

A report released in the Prevention Bulletin in January 1993, based on the analysis of the ADEQ from its 1990 monitoring program, documented the presence of high levels of volatile organic chemicals (VOCs), highly toxic and known carcinogens, throughout both Nogales. It states, "[a]t both groundwater and surface water sites, tetrachloroethylene (PCE) generally exceeded the current HBGL (Health Based Guidance Levels, an Arizona health standard). Trichloroethylene (TCE) was also detected at levels exceeding the HBGL and the ADEQ MCL (Maximum Contamination Level). The concentrations of PCE and TCE were generally high south of the border exceeding HBGL and MCLs and lower north of the border. The results suggest the contamination is restricted to an area within four miles of the border."

Ana says her group LIFE was formed when she saw a neighbor of hers (whose child had leukemia), at a Border Commission meeting. Ana was there as a paid translator. At the meeting, U.S. Senator John Kolbe of Arizona was present. Ana said she approached him at the meeting and told him about the high levels of dangerous disease. He acted concerned, and offered to help.

"I was so incredibly naive then that I thought that he would actually help, that they would come and take care of everything. So I said to myself, we've got to pull some information together for members of Congress. I called this woman, Susan (who she saw at the Border meeting), and we also invited Jimmy Teyechea, another member of the community who had Multiple Myeloma, an extremely rare form of cancer which is not so rare in Nogales. Jimmy had been gathering information by going to the local mortuary and looking at death certificates. Out of 1,000 certificates, 400 listed a cause. Of those 400, 239 were cancer related. I had been keeping an informal lupus register, writing down the names of everyone in town who I knew had it. And Susan had been keeping information about leukemia. When we all sat down together that first time and began to compare the information we had, we were scared. It was strange to find out how much was wrong. We decided to put a map together using Jimmy's mortuary numbers, my lupus register, and Susan's information on leukemia levels. The more we delved into it, the more we were convinced that this was environmental." She continued, "[i]t has taken us years just to get validation for what we believe. It has taken years of fighting just to get the authorities to take us seriously and recognize that there is a problem. We were three people who were fighting an incredible battle."

In March of 1994, one of these three, Jimmy Teyechea, died from Multiple Myeloma. Since then Ana says, "LIFE is spending a lot of time doing community awareness and education campaigns, things like presentations at high schools. I believe our generation, we are shot, we are already exposed, and we are trying to save the next generation. We are going to die, the nature of our membership is that we will drop off from sickness, so we have to educate the youngsters and get them to speak up."

To LIFE's credit and others, the New Year in 1995 arrived with a bi-national Nogales community victory: the closure of a major waste site located just two miles into the Mexican side of this divided city. The presence of the enormous dump had been one of the more obvious and long term problems in Nogales. The dump regularly caught fire and burned for days and sometimes weeks at a time. One consequence was a frequent inferno of plastics, wiring, and industrial waste which merged to create a floating toxic cloud that included vinyl chloride, a carcinogen.

For years, Mexican and U.S. residents had been complaining about the serious health effects that occurred each time the dump spewed flames. It had become commonplace for local officials on both sides of the border to issue health warnings to people with medical problems to stay indoors and to order a cancellation of school gym activities. "LIFE had been actively working on the dump for years. We tracked every time the dump went on fire, we sent the information about it to the authorities on both sides, we took photos and notified the press," according to Acuno.

At this juncture, there are many unresolved issues facing the communities of Nogales. For the moment Ana is pleased with recent developments, the closing of the dump and the successful launching of two new programs that LIFE has gotten off the ground. Both programs seek to address some of the chronic and acute health problems affecting people in the Nogales area. Ana states, "the community is really behind us now, people are really behind us, calling in, volunteering, and getting active."
Sunland Park, New Mexico is a small town of 10,000 residents that sits along the west bank of the Rio Grande just before it snakes through El Paso. The oldest part of Sunland Park is called Anapra, a subdivision built in 1920 as an addition to Smeltertown, which housed workers from the massive Asarco smelter nearby. Smeltertown is no longer there—it was evacuated and torn down because Asarco poisoned the whole community with lead from its emissions—but over the years Sunland Park grew up as a small satellite to El Paso.

The town, incorporated in 1983, borders both Texas and Mexico. It has a power plant, a shopping mall, a race track and a 385-acre dump that opened in 1987.

Isabel Santos is President of Concerned Citizens of Sunland Park, a neighborhood organization formed in 1990 to address environmental and health issues raised by community residents regarding the dump. Santos explained that their group has been through a painful education over the last few years.

"In the mid-1980s David Martinez, Sunland Park's mayor, said that he wanted to attract jobs and businesses. This turned out not to be true. He wanted to bring in the landfill and incinerator. He was a leader in the colonia, but he was also a lobbyist for Nu-Mex, the company that owns the dump."

The group also discovered that their city attorney was once the attorney for Nu-Mex. Once the city was incorporated, Nu-Mex was the first company to set up shop in Sunland Park. (Under New Mexico law, a community must be incorporated before it can accept a waste facility.)

"We were told that the dump was to handle household waste from El Paso and surrounding towns," continued Santos. "But we saw trucks coming from Juarez and Chihuahua, and we went to the dump and saw they were accepting medical waste and toxic waste. At that time there was no fence around the dump. Now they have a fence and an alarm and police patrol the site to keep people away."

At the time the community residents formed Concerned Citizens there was a medical incinerator operating at the dump without any pollution control equipment. "The smell was awful," remembers Santos. "They were burning bodies, syringes and all kinds of medical waste."

In 1991, tests conducted by a consulting firm working for the dump detected hydrogen chloride incinerator emissions that exceeded state standards. Hydrogen chloride can cause respiratory and skin problems.

The group contacted lawyers and other groups for help. The government agreed to a public hearing where people could voice their concerns about the incinerator. Angry residents testified at the hearing that emissions were responsible for worsening their children's asthma and allergies.

It was at the incinerator hearing that residents learned that their state Senator, Fernando Macias, was also the lawyer for Nu-Mex. In fact, he represented Nu-Mex at the hearing and had been working to get the company a permit to keep burning.

Alicia Roman, then-president of Concerned Citizens of Sunland Park, wrote an editorial in the local paper about the community's sense of betrayal. "Nu-Mex hired Macias, and put him to work representing the company before a state
agency over which Macias had influence. Macias represented Nu-Mex before the Environmental Improvement Board, which was deciding whether to permit the incinerator. At the hearing on the permit he asked the Board — openly, as a state senator — to do his client a favor and delay deciding on the permit."

"Macias should have been representing us, but we were just a community of Mexican-Americans without a lot of money. We couldn't pay him $100 an hour, like Nu-Mex, to do what he should have been doing anyway. As a result of his representation of Nu-Mex, we have been treated like trash."

Paul Connell, of Work on Waste, testified at the hearings on the incinerator that in six years of visiting communities in 44 states and many foreign countries, he had never seen such a blatant abuse of the community's rights as he had seen in Sunland Park.

As a result of the community's outrage and the health hazard caused by the hydrogen chloride emissions, the state shut down the incinerator in October 1991. But residents don't believe that is enough. "We want to shut down the dump," says Santos. "The dump is located less than 1,000 feet from our elementary school. We have health problems, water problems, air problems and property devaluation."

In November 1992 residents attended another public hearing, this time with the New Mexico Department of Health. "We brought them a worm that had come out of someone's sink in their house," says Santos. "They took the worm and went it to the state lab. They came back and told us the worm was not harmful to humans. But we should not be having worms in our drinking water."

In March 1993, at the request of the community group, the University of Texas at El Paso (UTEP) tested the drinking water of several Sunland Park residents. UTEP found very high levels of lead in the water. But a few months later, UTEP said that it had made a mistake and lead was not a problem. The state also tested and said there were not high lead levels in the drinking water. But the Concerned Citizens don't trust the results. They worry that Nu-Mex has bought off other state officials.

Neighbors charge environmental racism in the original selection of the dump site and the community's continuing poor treatment. "I think the dump came here because the majority of the community is Hispanic," says Santos. "Many people here don’t speak English and don’t know their rights."

The group, however, remains fierce in its opposition to the dump.

These days, Nu-Mex has changed its name to Camino Real Environmental Services, but they aren't fooling Santos or the community. "With their new name they are saying they want to recycle, to help the environment, but we have six years of experience with them contaminating the community, so we know that this is a lie." Santos says the groups is gearing up for public hearings to be held this fall as to whether or not the town should renew the dump's operating permit, which is up for renewal.

"The majority here does not want them. They have lied and broken the law in the past, so why should they act any better in the future? We have to organize because the local government is essentially working for Nu-Mex (Camino Real Environmental Services)." In the meantime, Santos and her neighbors wonder what became of the promises made to them when the town incorporated and the dump arrived.

Concerned Citizens of Sunland Park is an affiliate of the Southwest Network for Environmental & Economic Justice.

Ciudad Juarez, Chihuahua, Mexico — In the Waterfill Colonia, adjacent to a group of mostly U.S. owned factories, or maquiladoras, the homes are in the early stages of development: cardboard boxes and pallets. As time goes by and more money is saved or earned, the colonia will start seeing cinder block homes spring up. Photo © Jeffrey D. Scott, Impact Visuals.
Profile:
Colonia Rio Bravo
Juarez, Mexico

Laura Hernandez has lived in Colonia Rio Bravo for the last 32 years. Her parents live with her, as does her husband and five-year-old daughter. Four years ago, Aireze de Mexico, a subsidiary of Bacchus Industries of Sunland Park, NM, built a factory behind the Hernandez house to manufacture air conditioning units.

Some time after the plant opened, Hernandez and her neighbors began to experience a variety of health problems. "We get such terrible headaches that it deafens us," says Hernandez. "We also experience allergies and rashes and respiratory problems."

Magdalena Rosales also lives in the colonia. Her kitchen window faces the plant. "When I first started getting rashes, I thought it was from the sun. The doctor said I was allergic to some kind of dust, so I got allergy shots. But I still get rashes. I think it's from the plant."

The Aireze plant, which employs 130 workers, uses fiberglass and resins in their production process. The stench of the resin is strong throughout the colonia. Another plant neighbor, Antonio Escobedo Sr., says that a fiberglass film settles on his family's car and clothes. He also complains of debilitating headaches. "We can't ever leave the window open anymore," he says.

"At first, we thought the factory was good," explains Hernandez. "We thought, 'there will be work for us.' My husband worked there when the plant opened, but there were no protections for the workers. No gloves, no masks, no overalls. He got paid 190 pesos ($63 US) for a full week of work, but he left after a month. They have a high turnover rate."

In August 1993 residents got together and issued a complaint to PROFEPA, Mexico's environmental agency. "We have now been to PROFWA three times," says Hernandez. "When we got involved with the community around Presto Lock, we learned about who could help us and how we could contact the press. We need to keep the pressure up."

In March, 1994 PROFEPA told Aireze they needed to respond to the neighbors' complaints and document their compliance with the law. Hernandez and her neighbors were skeptical. "They can't be conforming with regulations," she said at the time. She was right and by the summer, PROFEPA had issued a fine against Aireze for numerous violations.

In the Spring of 1995, after a period of relative calm, a time when the neighbors were waiting to see if the impact of the fine would change the operations of the plant and better the conditions in the neighborhood, the community residents were again forced to act. "We were and are still suffering, noses still bleeding, people getting sick," according to Teresa Tamez, a resident of the colonia who has cancer which she believes is linked to the toxics in the area. Not only had the situation not changed despite the imposition of a $12,000 fine, but it turned out that Aireze never paid the fine. This led to a series of exposés in the press, articles in which local municipal officials in addition to the residents demanded that PROFEPA enforce the fine and the law, and move the plant altogether.

Teresa, Laura, and many community activists involved in the fight for the closure and clean up of the plant have had some success. In July 1995, the community signed a groundbreaking three-way agreement among the local municipal authorities, PROFWA, and community groups. The agreement states that the operations of the plant will slowly diminish, leading to a 1996 deadline when the Aireze maquiladora will close its doors in the Colonia Rio Bravo and move elsewhere.

"They were in another neighborhood in Juarez before, and that community did not want them. Now they are here. We hope that when they move they do not simply go to poison another community, but go somewhere that at least is not residential with houses and children all around," Teresa continued. But she is afraid that the promises to move in 1996 may not be kept. "In reality, we are not sure what we are waiting for, if the people who signed it change in the local or federal government, then perhaps they will make us start all over again."

She and others will continue to struggle, determined to see this through to the end. Unfortunately, this is only one of the problems still facing the neighbors of Colonia Rio Bravo. Like many communities, they have a myriad of battles to fight, at times simultaneously, and at other times, one by one.
Letters from the Frontlines

Battling to Hold the Line

by Felix L. Perez

Ciudad Juarez, Mexico -- One of the basic principles of the philosophy of environmental justice held by the International Environmental Alliance of the Bravo (IEAB) in Ciudad Juarez is to understand the environmental problems of others as our own. This organization does not settle for a partial solution to a struggle. If there is a possible solution, then we continue to work side by side with those who are being directly harmed.

This is the case of Presto Locks, a factory which manufactured locks and padlocks and which, during the production process, discharged into the air, soil, and water several types of pollutants, including corrosive acids, heavy metals, cyanide, detergents, and solvents. These toxic discharges harmed neighbors living in the Moreno suburbs, where the company was conducting its operations. Neighbors suffered a variety of ailments such as burns caused by waste thrown out on the street, permanent headaches caused by various emissions, skin irritations, nose bleeds, miscarriages and at least three cases of anencephaly. After one and one half years of continuous struggle, the company was shut down. However, it left more than 300 barrels of toxic waste behind.

Since the Federal Agency of Environmental Protection (PROFEPA, in its Spanish acronym) and municipal authorities closed the company, the place has been looted by crooks, who emptied the contents of barrels found in the factory to sell these containers in different parts of the city. These barrels are then used for domestic purposes, one of which is to deposit the water that is used in these colonias where drinkable water does not exist.

Closing the company down did not entirely resolve the matter. Inside the building you can find all the toxic waste scattered and mixed, some of the wastes chemically incompatible. Indeed, the authorities had lost control of the situation before more than 300 barrels containing 200 liters of toxic chemicals were distributed throughout the city.

Aireze, another factory near Presto Locks, produced air conditioning devices made of fiber glass (see related story, page 13). Aireze was also reported to the environmental authorities by the IEAB and the neighbors because of the harm caused to the environment and to the health of the inhabitants of Rio Bravo and Waterfill colonias. Aireze emitted gases produced by solvents and particles of fiber glass which caused hair loss, rashes, hives, headaches and bleeding noses. The company was sanctioned one time by PROFEPA, but they never paid the fine imposed. After one year of pressure, the factory was closed down because of fiscal problems and the intervention of the municipal authorities; nevertheless, it is known that there are plans to install a company that will build fiber glass boats at the location where Aireze operated.

But the problems in Ciudad Juarez are not only limited to inappropriate land uses or the failure to use anti-contaminant equipment in accordance with established standards. The Valle Agricola (or agricultural valley) has been seriously harmed due to the use of non-potable water to irrigate crops. These waters gather toxic discharge from the factories and businesses that dump oils, grease, and other pollutants down the drains. In Ciudad Juarez the construction of water treatment plants is urgent, but only projects with high cost to the population have been presented.

The desert of Samalayuca is another important eco-system of the region, rich in its biodiversity and because of its aquifer, a vital water reserve for the whole area. The IEAB, along with other organizations from Mexico and the United States, are organizing to request that the desert of Samalayuca be declared a Biosphere Reserve. Five years ago, the dunes in Samalayuca began being despoiled, as up to 900 tons of sand were being extracted daily and transported out of the area for industrial use.

In addition to the irrational exploitation of the desert sands that is transforming and putting at risk the physiognomy and the equilibrium of the desert eco-system, there is also a nuclear "graveyard" of Cobalt 60. The "graveyard" was built in 1983 to bury hundreds of tons of materials contaminated by an employee of the Centro Medico de Especialidades who took an X-ray machine from the hospital's warehouse and broke a capsule that contained Cobalt 60. Later the employee took the X-ray machine to be sold at a junkyard where it consequently contaminated all the commercial materials at the yard, such as iron, and scrap metal. Without warning, that material was sold to Chihuaha Steel, where they made iron rods for construction. To make matter worse, these iron rods were then distributed to different states throughout the Mexican Republic.

The employee who took the X-ray machine accidentally dropped contaminated pellets around the city on his route from the hospital to the junkyard. To date, it is unknown if they were all found. Everything that was contaminated and that was possible to locate, was buried in Samalayuca. However, the confinement of the radioactive waste itself has proven problematic. Most notably, it is unclear if the location was built following all the required specifications.

During a raid conducted by IEAB at the "graveyard," it was discovered that there were more than 1500 kg of ferrous material with high levels of radiation on the surface. There is easy access to the interior of the confinement area. There is no security guard and the area is only protected by a barbed wire fence. One of the most serious risks present at this location is the contamination of aquifers. There is a water well for human consumption at El Gato Ranch which is within very close proximity to the "graveyard." Indeed, this well demonstrates the presence of springs and the potential of dangerous contamination of water sources.
But the height of negligence by the authorities such as the Commission of Nuclear Security and Protection (CNSNS) and the weak performance of PROFEPA, is the decision to transform this nuclear graveyard into a "dump" for radioactive waste. Since February of this year, government and state trucks, with the authorization of the National Commission of Nuclear Security and Protection, the agency responsible for the security of the confinement, transported 150 tons of material contaminated with cobalt 60 from Name of God Mountain near the city of Chihuahua. The agency allowed the transport based on the argument that this material showed low levels of radioactivity.

The fear of those of us who wish to rescue this desert is that the federal authorities plan to convert this place into Mexico's largest nuclear waste dump. Not only will this harm the environment, it will also violate the spirit and the letter of the agreement signed between Mexico and the United States shortly after the opening of the graveyard. This agreement states that the two countries will not establish any source of contamination within 100 km of the border of either country that could affect the other.

The struggles continue until the problems are resolved with responsibility and real environmental justice.

*Felix Perez is a long-time activist for social and environmental justice in Ciudad Juarez.*

---

**Presto Locks: International Scofflaw**

Presto Locks, a manufacturer of various types of locks, began moving its most dangerous operations from its Garfield, New Jersey plant to Mexico in mid 1980s. While most of the jobs moved south, the company left behind a colossal mess.

After N.J. environmental authorities conducted an investigation of groundwater contamination at the Presto Lock's Garfield site, they detected levels of toxic volatile organic compounds in an aquifer under the plant at up to 109,000 times the legal limit.

Government tests also showed high levels of heavy metals in the soil, so the N.J. Department of Environmental Protection ordered the company to dig up four feet of soil outside its plant which contained lead and copper. The company was later fined $26,000 by the Occupational Safety and Health Agency of the U.S. (OSHA) for exposing workers to corrosive chemicals and failing to provide information about toxic chemicals used in the factory. Of course, none of the people living in Colonia Moreno, Juarez, knew anything of these environmental violations when they organized their community. They only knew Presto Lock must be doing something wrong. Their story is found on page 16.
Presto Locks

A Struggle of
Bi-National Solidarity
by Cipriana Jurado Herrera

The City of Juarez is located in the State of Chihuahua, in the north of the Mexican Republic. It has a population of 1,700,000. Along with the neighboring city of El Paso, Texas, it forms the largest urban concentration along the Mexico-U.S. border. The area makes up the most important factory center in the country and one of the most important in the world. The industry of the region consists of approximately 400 plants and employs about 135,000 workers.

Factory workers’ incomes, including benefits, barely amount to $3.28 per day, or $29.95 a week — some of the lowest rates in the world. The low cost of labor and the factories’ strategic location have allowed the rapid growth of industry. This industrial growth and the large number of immigrants that arrive every day to Ciudad Juarez have resulted in the rapid and out-of-control growth of the population, causing numerous housing and public services problems.

In this context, many struggles inside and outside the factories have been started by the workers and by the surrounding communities. A clear example of these struggles was the infamous Candados Presto, or Presto Locks, a company of US origin. Presto Locks became a focus of community organizing because it did not respect the most basic environmental laws, and improperly handled toxic substances. Not only did the company store toxics in the environment, but shamelessly and with total lack of ecological conscience, dumped the chemicals outside the plant.

The community struggle started to get stronger after a little girl, while walking in front of this factory, burned her foot with the substances that were dumped outside the plant — an area in which the neighbors and even the workers’ children played every day. This event, without a doubt, was the straw that broke the camel’s back.

"The Factory Came and Changed their Lives,...," was the headline of the most important local newspaper after the neighbors brought the case to its attention. Furthermore, the residents also documented several cases of anencephaly, inexplicable miscarriages, strange bums and showed the authorities what they had suffered in the years since the plant opened, including:

• Eduwiges Chavez, 22, has had three consecutive miscarriages. Her husband Juan Lomas Pina has been diagnosed by doctors as incapable of having children because of "a strange blood disease."
• Dora Alicia Lomas, suffered the early loss of her baby, and in another attempt she was later forced to abort her six-month-old fetus who suffered from anencephaly. Her husband, Jose Salazar, shows signs of a disease that prevents him from having a family "at present."
• Sylvia Macias de Perez is 23 years old and married to Leonel Perez. She has suffered from miscarriages that doctors attribute to her husband's medical condition. Leonel is being treated for a blood disease in a Houston, Texas hospital.

The three cases all have something in common: all the women’s husbands worked in the chemical unit of the Candados Presto factory for more than two years.

According to a local professor, the damage that the plant caused since it began to function is significant and, what’s worse, is the trauma that all this has caused to the children.

Due to all these health irregularities, the neighbors, with the support of local and international organizations, decided to take over Candado’s Presto building, holding hostage all those who were working at that moment. The neighbors initiated a series of mobilizations to get the Mexican environmental agency, PROFEPA, to pay attention to their complaints and concerns. After many months of daily struggle, of closing international bridges and of closing PROFEPA itself with all of its officials inside, our struggle culminated in a great international march on the Zaragoza bridge. With the support of the Southwest Network for Environmental and Economic Justice, the endeavor proved to be a great success. The march ended with a protest at the company. Various representatives of international television stations and newspapers were present at the protest and were able to witness the anguish that the neighbors were living with daily, and at what this factory was doing to their community’s health and that of its workers.

"Can you imagine, Cipriana," said a lady that lives next to the factory, "if we who are on the outside can’t stand the fumes that come from the plant, I wonder how the workers are doing. But these gringos are only interested in making money."

After a series of protests we got PROFEPA to conduct an environmental impact study. However, we didn’t trust this study since the company could contract the services of those they thought friendly to their interests to do the study.

Because the harm the facility was causing was so evident, the tons of toxics that the company kept on the premises, and above all, the tenacious struggle that was taking place, PROFEPA had no other choice but to close down the company. Unfortunately, however, the struggle is not over. Because of the company’s and PROFEPA’s irresponsibility over the years, the place where the factory stands — the factory that made so many people sick and destroyed the environment — has yet to be cleaned up.

Cipriana Jurado Herrera is an organizer for workers' rights and social and environmental justice in Ciudad Juarez.
A Region in Crisis
The Lower Rio Grande Valley of Texas

The Lower Rio Grande Valley of Texas — Cameron, Hidalgo, Starr and Willacy Counties — is a crucible for the changing economic and political relationship of the United States and Mexico.

The population of the region has been growing rapidly, at a rate much higher than that of the state or the nation as a whole. Public services and public infrastructure, which historically have been grossly underfunded, are falling further and further behind in their ability to support meaningful economic development or the needs of a population with a poverty rate among the highest in the nation. The North American Free Trade Agreement (NAFTA) was projected to significantly reduce the number of jobs in key sectors of the Valley economy, most notably in apparel manufacturing and agriculture. The devaluation of the peso in December 1994 brought new repercussions felt throughout the Valley economy. With the Mexican economy in disarray, it is difficult to predict the impact of U.S.-Mexican trade in the Lower Rio Grande Valley over the next few years. Regardless of what happens in Mexico, however, it is not difficult to predict that a major restructuring of work in the public and private sectors, along with the job training and education required to do that work, will be necessary if the majority of the residents of the region are to emerge from their seemingly permanent economic depression.

In the Lower Rio Grande Valley — and, to a large extent, for the length of the Texas/Mexico border — one can’t think about the local economy without being immediately reminded of its effects on public health and the environment in general. The water, air, and soil quality reflects the exploitation of natural resources that has occurred at the margins of our country, just as this environmental degradation parallels and contributes to the exploitation of the people who live at the margins of our national economy.

Fewer than 100,000 people lived on both sides of the border in 1900. Today, estimates range as high as ten million living in border cities and surrounding counties. Population growth on the U.S. side (2.5 percent per year) is between two and three times the national average in the U.S. By the year 2000, one of every ten Texans will be living on the border. The population on the Mexican side has nearly doubled in the last two decades.

The Texas counties of the Lower Rio Grande Valley have experienced phenomenal population growth. Together, the four counties grew by 98 percent between 1970 and 1990, totalling nearly 700,000 people. The population is expected to double again by the year 2010. The population of Hidalgo County grew by 111 percent between 1970 and 1990, from 182,000 to 384,000. The population of Cameron County grew from 140,000 to 260,000 over the same period, marking a 85 percent increase. Willacy County growth was relatively moderate between 1970 and 1990, growing by 14 percent from 15,570 to 17,495. But Starr County increased by 129 percent, from 17,707, to 40,518. This is more than twice the growth rate of the state as a whole, which ballooned from 11,198,655, to 17,180,450, for a 53 percent increase over the same twenty year period!

The population growth in the four-county region meant a significant increase in the number of people living under the poverty line. One out of three people living in Texas on the border lives below the poverty line, compared to 18 percent for the state as a whole. In the Lower Rio Grande Valley, the percentages are even higher. Between 1980 and 1990, Cameron County experienced a 25 percent increase in the percentage of people living below the poverty line, rising from...
32 percent to 40 percent. In Hidalgo County, 36 percent of the population lives in poverty, compared to 35 percent in 1980. In Willacy County, the percentage of people living in poverty rose from 35 percent in 1980 to 45 percent in 1990, a 28 percent jump. Sixty percent of the people living in Starr County in 1990 lived below the poverty level, compared to 51 percent in 1980, an 18 percent increase. Starr County has the second highest percentage of people living in poverty of any county in the nation. One out of two Lower Rio Grande Valley children lives in poverty, compared to one out of five in the U.S. as a whole.

Between 1980 and 1990, the income gap widened between the Lower Rio Grande Valley and the rest of the state and nation. Per capita income on the border is $7,657 — half the national average. Per capita annual income in Starr County in 1990 was $5,560, the lowest in the state compared to $16,700 for Texas as a whole and $18,500 for the U.S. Per capita income for the region actually fell between 1980 and 1990 in real dollars. For instance, using 1982 dollars to account for inflation, Cameron County per capita income fell 7.7 percent, from $6,712 to $6,192. Hidalgo County per capita income fell 7.2 percent, from $6,815 to $6,324, and Starr County incomes fell from $3,654 to $3,303, a 9.6 percent drop. Over the period, per capita income grew in Texas by 5.3 percent, and U.S. per capita income increased by 19.4 percent.

Among the problems resulting directly from a lower per capita income is a lower tax base. A study of 11 South Texas counties, including the Lower Rio Grande Valley, found that two-thirds of the homes in the region were valued at $50,000 or less, compared to 39 percent of all homes in Texas. This leads to poorer schools, health facilities and other public services. While physician-to-resident ratios in the U.S. and Texas are 1:411 and 1:580, respectively, Texas border counties average one physician per 984 people. That exceeds the ratio in Mexican border states, which is 1:846. The World Health Organization recommends a ratio of one physician per 600 people.

Unemployment rates in the Lower Rio Grande Valley are more than double the national rate. While the U.S. unemployment rate in December 1994 was 5.1 percent and the Texas rate was 5.8 percent, the unemployment rate in Cameron County was 10.3 percent. Unemployment in Hidalgo County was 15.4 percent. Willacy County had an 18.8 percent unemployment rate, and Starr County’s unemployment rate was 21.6 percent.

The unemployment rates should be expected to increase as the continuing repercussions from the devaluation of the peso are felt on this side of the border. Retail trade in Brownsville and McAllen was reported to be down as much as one-third shortly after the peso devaluation in late December 1994.

A 1993 report issued by the Governor’s Office predicted that, as a result of NAFTA, certain industries on the Texas border would experience large-scale job reductions, including agriculture, retail trade, textile mill production and finished apparel products.

While employment in manufacturing has held steady or risen slowly since 1984, more rapid growth in employment in the region has been felt in retail and wholesale trade, service jobs or government employment. Seventy-two percent of the jobs in the Brownsville-Harlingen Metropolitan Statistical Area (MSA) in 1994 fell in these three categories as did 76 percent of the jobs in the McAllen-Edinburg-Mission MSA. That compares to 59 percent of total employment for the state as a whole and 61 percent for the nation in three job categories that are generally lower paying than other job categories.

A 1993 report issued by the Governor’s Office predicted that, as a result of NAFTA, certain industries on the Texas border would experience large-scale job reductions, including agriculture, retail trade, textile mill production, finished apparel products and primary metals. Industries that were projected to increase employment included industrial machinery, computers, transportation equipment, fabricated metal products, instruments, and rubber and plastic products. The report also...

Sixty percent of the people living in Starr County in 1990 lived below the poverty level — the second highest percentage of any county in the United States.
outlined a growing need for electrical and mechanical technicians, health-care workers, quality control specialists and child-care workers. The region regularly recruits teachers from outside to fill growing public education needs. School districts are among the largest employers in the Lower Rio Grande Valley.

Many of these growing occupations require post-secondary education or skilled training. Unfortunately, the Governor's Office reported that fewer than 10 percent of the residents of the border who needed job training were able to receive it through existing programs. This is compounded by the low level of educational attainment in the Valley. In Cameron County, half the adult population (25 and over) does not have a high school diploma, and 36 percent never reached 9th grade. In Hidalgo County, 54 percent never graduated high school, and 40 percent never reached 9th grade. Fifty-seven percent of Willacy County adults did not graduate, and 46 percent did not reach high school. In Starr County, 67 percent did not graduate high school and 57 percent never reached 9th grade.9

The Texas Water Development Board has identified 1,436 colonias along the Texas border, with an estimated population of 340,000. These colonias are unincorporated subdivisions, many of which were sold as bare lots without roads, drainage or basic infrastructure. More than 220,000 people living in the four counties of the lower Rio Grande Valley live in colonias. In Hidalgo County, one-third of the population lives in colonias. At least one-fourth of all colonias have no running water, and more than half are not connected to public wastewater systems.

Many of these colonias sit on parcels of land sold by farmers who continue to farm the acres of cotton, sugar cane, citrus or produce surrounding the settlements. Almost all the farming in the Lower Rio Grande Valley relies on heavy chemical inputs and irrigation systems. Crop dusters and contaminated irrigation ditches typically skirt the edges of the colonias, as well as the towns and cities of the Valley. Most of the drinking water consumed in the Valley comes from surface water, predominantly the Rio Grande, and is often contaminated by untreated sewage from Mexico. Finally, the maquiladora industry just across the border sends plumes of toxins into the air.

As a result of all these factors, Valley residents suffer from a panoply of diseases not typical of communities in most of the rest of the state or nation. A study conducted for Congressman Richard Gephardt reported, "Rio Grande Valley residents suffer from high incidence of tuberculosis and other infectious diseases, such as typhoid, amoebic dysentery, hepatitis, parasitic infections and leprosy. Most of these are associated with poor sanitation and contaminated air, food, and soil." Valley residents also suffer from higher than average incidence of cervical, gall, bladder, liver and bowel cancer.10 Cervical cancer rates for Hispanic women in Cameron, Hidalgo, Webb, and Willacy counties are three times the rate for Anglo women in the U.S.11

The tuberculosis rate (cases per 100,000) in Cameron, Hidalgo, Presidio, Starr, Val Verde, Webb and Zapata counties is more than twice the state average. Tuberculosis was reported by more than six percent of the Valley colonia residents. Starr County's hepatitis A rate is five times the state's rate. Ten percent of Valley colonia resident reported have had hepatitis.12 Cameron County's amoebic rates are two to three times higher than those in the rest of the state. The Texas Department of Health reported 24 anencephalic children born in 1990 and 1991 in Cameron County — a much higher than normal incidence. In sum, the Lower Rio Grande Valley is a region in crisis. The next few years will determine whether Valley residents can turn this situation around, or be permanently consigned to extreme poverty.

Sergio Garza, now at Harvard Law School, was a policy analyst with the Center on Race, Poverty & the Environment. He wishes to thank Geoff Ripp of the Texas Center for Policy Studies, and Sister Pearl Cesar and Elida Bocanegra of Valley Interfaith in Mercedes, TX, for their important contributions to this article.

Notes


The state has identified 1,436 colonias along the Texas border, many without running water, with an estimated population of 340,000.

2 U.S. Census Bureau.
3 Lower Rio Grande Basin Study, supra note 1.
6 Texas Employment Commission.
7 Texas Comptroller of Public Accounts.
10 Texas Cancer Council, 1990.
The goals of the environmental justice movement include both protecting poor neighborhoods from environmental hazards and fostering community development. Success in environmental justice campaigns often comes to those who engage in collective efforts to solve a community’s problems. This is the essence of the “empowerment” philosophy espoused by many environmental justice activists.

Like Little League and health clubs, concern for the environment has typically been a middle class pastime. Successful NIMBY (“Not In My Back Yard”) campaigns in middle class neighborhoods prompted polluters to locate their businesses where opposition was weak and disorganized. As a result, a disproportionately large number of such facilities were placed in poor neighborhoods and in communities of color. Environmental injustice came to be seen as a byproduct of environmental regulation, occurring “not in spite of our systems of law, but because of our system of laws.”

Besides suffering the unwelcome attention of polluting industries, poor communities also have a hard time attracting desirable development. Some areas lack even basic amenities, such as paved roads, drinking water and wastewater treatment systems. There is often no legal remedy for these deficiencies. As with siting decisions for toxic waste dumps and the like, the failure to improve conditions in poor neighborhoods is a normal consequence of powerlessness.

What follows are two stories of successful environmental justice struggles along the Texas-Mexico border, in which the true heroes are the grassroots activists themselves.

**Kickapoo Uprising**

For more than a century, a small group of Kickapoo Indians, members of an Algonquian tribe native to the Midwestern United States, have lived in the brush country straddling the border between the Mexican state of Coahuila and Texas. Members of the tribe pass freely between the United States and Mexico. A settlement directly underneath the international bridge at Eagle Pass, Texas symbolizes the tribe’s transcendence of territorial borders. Perhaps the ultimate grassroots organization, the Kickapoo tribe is a culturally conservative group which has preserved its identity and traditions despite extreme geographic, political and economic challenges.

The Kickapoo have a legacy as regional protectors. In the early 1800s the Spanish Crown encouraged them to settle in Spanish territory to strengthen defenses against Anglo-American encroachment. Mexican authorities continued this policy, welcoming the Kickapoo as defenders against raids from other Native American tribes.

In 1991, the Traditional Council for the Texas Band of Kickapoo resolved to fight environmental degradation, by passing a strong Tribal resolution opposing a radioactive waste dump near their land. Texcor Industries, Inc. proposed to build a waste disposal site for uranium mine tailings near Spofford, Texas, along the headwaters of Elm Creek, which flows for some thirty miles before merging into the Rio Grande. The Kickapoo feared their settlements near Elm Creek could be at risk for contaminated ground and surface water supplies. Their opposition to Texcor’s dump also had a spiritual dimension. The Tribal Council’s resolution to oppose Texcor cited the Tribe’s deep interest “in the conservation of nature as God created it” and deemed the Texcor facility “as one more way of contaminating our Earth.”

Represented by Alpha Hernandez and George Korbel of...
Texas Rural Legal Aid’s Del Rio and San Antonio offices, the Tribe became a party to the administrative hearing before the Texas Water Commission on the Texcor permit application. Asserting that conducting the entire hearing process in English violated their equal protection and due process rights, the Kickapoo asked that all legal notices be given in Spanish and English, that the most significant documents, such as the license application, be translated into Spanish and that a certified interpreter be present at the hearing to translate the proceedings into Spanish and the traditional Kickapoo language.

The Kickapoo also argued that the proposed location of the Texcor site violated their religious beliefs in contravention of the guarantees of the First Amendment and the Treaty of Fort Dearborn. The Fort Dearborn Treaty, executed September 28, 1832, reads:

This is to certify that the families of the Kickapoo Indians, thirty seven in number are to be protected by all persons from any injury whatever, as they are under the protection of the U.S. and any person so violating shall be punished accordingly.
Maj. Whittles
2nd Reg. Inf. Company 5

In testimony translated from Kickapoo to Spanish and then into English, Adolfo Anico, the Tribe’s religious leader, told of Kickapoo beliefs regarding protection of the earth. “The air, the earth, the wind, the water and the sun are sacred elements of nature which correspond to the various aspects of the human form. The depositing of nuclear waste at a site other than that of its origin is a desecration of the earth and disturbs the balance of nature. This, then, affects the human. In the words of Chief Seattle ‘we are a part of the earth and it is a part of us, for all things are connected.’” 6

The proceedings, which lasted 65 days, became a tri-national undertaking with parties from the U.S., Mexico and the Kickapoo nations. The broad coalition of interests opposing Texcor clearly helped assure a favorable outcome for the Kickapoo and their allies. The State denied Texcor’s permit request. However, since the decision was based on the narrow grounds of Texcor’s failure to identify its waste streams, the company continues to look for ways to surmount the opposition and build its dump. The struggle is not yet over, but the Kickapoo are ready.

La Union de las Colonias Olvidadas

The people living in the colonias along Highway 359 had good reason to
feel forgotten. After years of pleading with elected officials, these colonias east of Laredo still lacked public water and sewage services. Residents had to haul their water in 65 gallon barrels, sometimes making several trips a day in the hot summer months. With no sewer system, residents resorted to pit privies and septic tanks. Webb County officials frequently promised public services to the Laredo colonias but never delivered on those promises.

Lack of money wasn’t the problem. Literally millions of dollars of state and federal funds have been available for years. A 1990 GAO study showed that Texas had 842 colonias with 198,000 residents. Of the Texas colonias visited by GAO, less than one percent had sewage systems, and 40 percent did not have water supplies. In 1991 Congress required Texas to set aside 10% of it’s Community Development Block Grant funds for assistance to colonias. Grant money for the colonias could also come from the state’s Economically Distressed Areas Program.

The U.S. Department of Housing and Urban Development has included a $100 million Colonias Assistance Program initiative in its 1995 budget. This program would assist state and local efforts to address the severe housing and infrastructure needs of the colonias. The $100 million would be used to match funds provided by the states of Texas, New Mexico, California, and Arizona and local governments and non-government organizations in those states. In spite of all the resources available to them Webb County officials simply hadn’t asked for the funds to improve the colonias.

By July 1994, residents of the Laredo colonias had had enough of Webb County’s torpor and formed La Union de las Colonias Olvidadas (LUCO). About 700 people from 10 of the Highway 359 Colonias elected two representatives from each colonia. Their goal was to pressure the County Commissioners and the County Judge into finally bringing drinking water and sanitary sewer services to their homes. A spokesperson for the group told the media "We are prepared to cooperate with all the authorities and parties who seek to find a solution. But if we have to file a lawsuit to get them to act, we will. If we have to file a lawsuit to get answers, we will. If we have to become a political thorn in their side, we will. If we have to march in the streets, we will."

True to it’s word, LUCO promptly organized a public protest. 100 families paraded down the streets of Laredo in trucks carrying 65 gallon water drums. LUCO organizers carried posters that read, "We need water, nuestros hijos necesitan la agua."

County officials were quick to absolve themselves and pin the blame on others. Responding to criticism from colonia residents that she has done little to help them, County Commissioner Judith Gutierrez contended "the Union members are threatening to sue the wrong people. They should be suing the developers. We at the county feel a tremendous moral obligation to help them, but we have no legal obligation."

"The county is saying that they do not have a legal obligation, we are saying that they do," said Texas Rural Legal Aid attorney Israel Reyna. According to Reyna the county received a $52,000 grant for a county engineering plan three years ago but still hadn’t completed it. The plan was to lay out how services could be delivered to the colonias. He argued that since the colonia residents were the intended beneficiaries of the grant, the county was under a legal obligation to follow through and complete the project.

Reyna said, "it is not unreasonable to expect public officials or county officials who are using state funds earmarked for that purpose, to write down on a piece of paper when this project will be completed."

LUCO’s demand for results bore fruit. By April 1995 Webb County and the City of Laredo had entered into an agreement for water and sewer services to the colonias. Both the city and county agreed to provide water distribution, waste water collection and water and waste water treatment. Plumbing lines to colonia homes will be installed before the end of the year. State EDAP grants will cover the cost of the project, estimated at $15 million dollars.

Conclusion

The remedy for environmental injustice lies with the people most affected: Communities that once were invisible or forgotten can gain control over their destinies. But first they must overcome the root causes of their impoverishment. Chief among these is the lack of political clout endemic to poor communities. Only by organizing and coming together can communities realize their power.

Enrique Valdivia is an attorney with Texas Rural Legal Aid in San Antonio, where he works on a variety of poverty law and environmental justice issues.

Notes


4Kickapoo Traditional Tribe of Texas Resolution 91-0017.


Origins of the Border Justice Campaign of the Southwest Network for Environmental and Economic Justice

The Mexican/U.S. Border: A Historical Overview

A historical geographic and political-cultural unity exists between what now makes up Northern Mexico and the Southwestern United States. Despite the signing of the Treaty of Guadalupe Hidalgo in 1848, which created the invisible border, these historical ties survive within the people who are untied by language, religion, customs, beliefs, and natural resources. In particular family and cultural ties have been the strongest between Xicanos, those born north, and Mexicanos, those born south of the invisible border.

As the agricultural business flourished in the U.S., Xicanos and Mexicanos were used to work the land and forced to migrate to the fields in search of work. The legacy of farm laborers continues today with low wages and extreme exposure to pesticides. Then came the Depression and the deportation of millions of Mexicanos, as well as Xicanos, to Mexico.

As World War II erupted, the U.S. pounced on the opportunity to rebuild the economy. As weapon factories opened, Xicanos and Mexicanos once again began their migration, along with other people of color, in search of work, this time to the inner cities.

The last 50 years has seen major urban centers develop on the southwest as a result of militarization and industrialization. Industrial centers have sprouted increasingly along the Mexican/U.S. border, where Mexican workers are employed in the assembly of parts for electronic goods, automobiles, clothing and other industrially-produced items. Although some of these maquiladoras are very different, they have in common features that the U.S. and Mexican governments think desirable: they are private enterprises, highly integrated into the U.S. and world economies, and they frequently produce high technology products. Due to this "desirability" both countries have entered into the North American Free Trade Agreement (NAFTA), which has created a picture of U.S. and Mexican economic integration that has financially rewarded the few at the expense of the many, mostly Mexicanos and Xicanos.

In examining the environmental and economic impacts of industry and development along the U.S./Mexico border, certain trends have been documented. There has been no improvement in the standard of living, wages, benefits or working conditions of the workers, and the impacts on the environment and health of the surrounding communities have not been adequately addressed.

Despite government efforts to make the Border more invisible to those transporting dollars and more visible to those having historical ties to both sides, the Border Justice Campaign is an opportunity for communities on both sides of the border to examine these trends and collectively develop strategies to make effective change.

The general goal of the Campaign is to create a movement for border justice that will result in the strengthening of organizations, in the U.S. and Mexico, that are active in the struggle for social justice and are working on issues of human rights, women's rights, children's rights, and economic, labor and environmental issues.

History of the Campaign

Since April 1990, when the Southwest Network for Environmental and Economic Justice (SNEEJ) was founded, new ties between the borderlands of the United States and Mexico have been formed and strengthened. It was at the Dialogue for Environmental and Economic Justice, when the Network was founded, that an analysis was made of the social, economic, and political problems in the Southwestern United States and the borderlands. What was decided was that the border on both the U.S. and Mexico side were inseparable, and that it was a very important area in our work for justice.

With the results of the 1990 Dialogue on the border situation, the Southwest Network organized and launched five campaigns, one of which was the Border Justice Campaign. This Campaign was launched to confront the most important problems of economic and environmental justice. In 1991, the Network celebrated its first Annual Gathering in Albuquerque, New Mexico. There, the member organizations and their delegates decided that to integrate the first Mexican delegate into the Coordinating Council (SNEEJ's executive board). Maurilio Sanchez Pachuca from the state of Baja California became a member of the Coordinating Council. Maurilio is
Since the founding of the Southwest Network for Environmental and Economic Justice in April 1990, new ties between the borderlands of the United States and Mexico have been formed and strengthened.

Maquiladoras in Tijuana.

The initial work of the Campaign was to make contact with the already existing organizations on the Borders, and invited them to the Second Annual Gathering that took place in Albuquerque. It was at that Gathering, in 1992, that the Network decided to spearhead an effort to organize on both sides of the border and elaborate on the first plan of action for the Campaign. The focus is economic and environmental justice. The Border Justice Campaign came from this effort and Rubén Solís, of the Southwest Public Workers Union in San Antonio, Texas, was elected Campaign Chair.

The First Encuentro Sin Fronteras

The movement at the borders found itself at this time under the gaze of three nations due to the North American Free Trade Agreement (NAFTA), and in the fervor of the moment, the Border Justice Campaign took advantage to create a sufficient organizational base very rapidly. It was so successful that in July 1993 the First Encuentro Sin Fronteras (Gathering Without Borders) was organized in Tucson, Arizona. The Encuentro brought together 65 representatives of diverse organizations from areas along both sides of the border.

It was there that the workshops and plenary session coincided in beginning to weave a bottom-up approach with a common agenda on Border issues for non-governmental organizations that work actively on justice. The organizations that participated in the First Encuentro also participated as delegates to the Third SNEEJ Annual Gathering that was celebrated bi-nationally in 1993 between Tijuana, Baja California and San Diego, California. At the Third Annual Gathering, José Bravo of the Environmental Health Coalition in San Diego was elected Campaign Chair. He was subsequently hired as a staff person for the Campaign, leaving the Campaign chair position vacant. Rubén Solís once again became Chair of the Border Justice Campaign.

The Southwest Network held its Fourth Annual Gathering in Las Vegas, New Mexico in 1994, where the largest number of delegates from the Border region of Mexico participated. The "Mexico Group" met and developed resolutions for the 194-95. At this Fourth Annual Gathering it was decided, among others things, to reduce the number of Core Group members. A plan of action was developed by the "Mexican Group" with the goal of creating a common border agenda.

The Second Encuentro Sin Fronteras

Between 1994 and 1995, the Border Justice Campaign celebrated five Twin City Mini-gatherings along the U.S./Mexico border. These Twin City Meetings produced a common agenda and more importantly, strong relationships between the participants. This process of mini-gatherings resulted in the celebration of the Second Encuentro Sin Fronteras in Ciudad Juárez, Chihuahua, with more than 100 representatives from organizations from all along the border.

The Second Encuentro was the culmination of a process of organizational work that had been done by the Campaign between 1992-95, and marked a new era in the creation of a broad base, between non-governmental organizations (NGOs) from both sides of the Border who struggle for justice.

At the Fifth Annual Gathering in 1995, two more delegates from Mexico were added to the Network's Coordinating Council. With this addition, there are a total of three delegates from organizations affiliated with the Mexican border represented on the Council. At the Gathering, the Border Justice Campaign, for the first time, elected two people as co-directors of the Campaign: Cipriana Jurado from Ciudad Juárez, Chihuahua-Mexico and Rubén Solís from San Antonio, Texas-U.S. The Campaign Core Group, composed of affiliate organizations, also re-elected the six representatives at the plenary session of the Gathering.

Present

The Border Justice Campaign has organized a series of border tours with the goal of bringing participants from the United States, Mexico, and Canada, among other countries, to know the "border reality." The first tour took place in September 1996, visiting Ciudad Juárez and Ciudad Chihuahua, Mexico; El Paso, Texas; and Sunland Park and Albuquerque, New Mexico. Four more tours will be organized for 1997: Tijuana and Mexicali, Baja California and San Diego, California; Nogales and Cananea, Sonora and Nogales, Tucson, and Phoenix, Arizona; San Antonio, Texas, and Ciudad Acuia, Piedras Negras, Nueva Rosita, Monclova and Torreón, Coahuila Mexico; and lastly, in Reynosa and Matamoros, Tamaulipas, Mexico and Brownsville and McAllen, Texas.

The Campaign for Border Justice can be reached at the Southwest Network for Environmental & Economic Justice, P.O. Box 7399, Albuquerque, NM 87194; 505/242-0416; fax 505/242-5609. You can also contact Rubén Solís at 210/299-2666.
Monitoring the Migra

A Borderwide Effort to Hold Immigration Police Accountable for Misconduct

by Partners of the Immigration Law Enforcement Monitoring Project

The problem of abuse in immigration enforcement has grown apace with the expansion of immigration agencies. In the late 1980s and early 1990s, new laws greatly increased the budget of the U.S. Border Patrol, gave agents general arrest powers and authorized the military to interdict drugs along the U.S.’s southern border. Since that time, the National Guard and military have played a growing role in construction, communications, surveillance, maintenance, transportation and even inspections at the border. Grandstanding politicians have promoted measures like California’s Proposition 187 and the now-passed “Immigration in the National Interest Act” (the ”Lamar Smith bill”), which have inflamed anti-immigrant rhetoric and led to more money for border enforcement.

While numbers of agents and their weapons have sharply increased over the years, ways to hold these agents accountable for their misconduct have not grown correspondingly. For 20 years, human rights activists have found that significant and serious law enforcement abuse continues to occur along the border. These incidents run the gamut from psychological and verbal abuse, like abusive language and coercive questioning; through illegal searches, seizures and other due-process violations; to beatings, sexual assaults and shootings. Documenters consistently find that a large percentage of victims, perhaps as high as half, are citizens or legal residents of the U.S.

The ILEMP Network

Since 1987, with the leadership of the American Friends Service Committee’s Immigration Law Enforcement Monitoring Project (ILEMP) and its director, María Jiménez, a strong network of local coalitions and human rights activists has formed from San Diego to south Texas to monitor these types of abuses. The ILEMP network documents hundreds of abuse complaints a year against the INS, the U.S. Customs Service and Border Patrol agents. ILEMP’s project director and partners are: María Jiménez, Director, Immigration and Law Enforcement Monitoring Project, in Houston, Texas; Roberto Martinez and Leticia Jiménez, U.S.-Mexico Border Program, AFSC, in San Diego, CA; José Matus, Arizona Border Rights Project, in Tucson, AZ; Suzan Kern, Border Rights Coalition, in El Paso, TX; and Jonathan Jones, Refugee/Immigrant Rights Coalition of the Rio Grande Valley, in Harlingen, TX.

People who feel their rights have been violated report to us and we document their cases. Incidents of abuse may take place on our streets and highways, at Border Patrol checkpoints, at international airports, in neighborhoods throughout border cities and at official ports of entry. The men and women who make these reports include native-born U.S. citizens, recent and longtime naturalized U.S. citizens, political asylum applicants, legal permanent residents and
applicants, and undocumented border crossers. They are adults, teens and children, educated professionals, managers, students and blue-collar workers. Many cases are referred to us — from both sides of the border — by agencies, clinics, schools, churches, private attorneys and others who know about our work.

We encourage everyone who reports abuse to file an official complaint and we offer assistance with that process. However, many people decline to do so. Often, this is because they just want the ordeal of their abuse to be over so they can return to their normal lives. Frequently, however, it's because they fear retaliation or do not trust the agencies that abused them to investigate and resolve their cases fairly. In cases of serious abuse, we refer abuse victims to attorneys, doctors and social workers. We continue to work with these advocates, providing information and, where appropriate, helping to publicize the abuse.

The following reports compile statistics and narratives from the four ILEMP “partners” about abuse cases and trends in the different border areas during 1995 and early 1996.

San Diego, California
by Leticia Jimenez

Abuse reports we received during 1995 do not differ greatly from 1994 or past reports. However, there is a noticeable increase in abuse directed toward U.S. citizens and legal residents of Hispanic/Latino descent. Most of our 1995 cases occurred at the San Diego area ports of entry.

The most common type of abuse reported to us continues to be verbal abuse, which frequently progresses to physical abuse. Complainants report that verbal abuse begins almost immediately upon the inspector's suspicion that some wrongdoing has occurred. The agent begins shouting orders and insults, thereby drawing the attention of other agents, who join in the shouting and "gang up" on the victim. This abuse sometimes leads to physical injury and invariably causes psychological and emotional trauma. Feelings of inferiority and helplessness are common in this situation. One U.S. citizen woman, angry at having been injured by agents and not allowed entry to the U.S., threatened to sue. Another woman, a legal permanent resident, wept as she related how her 14-year-old daughter was battered and bruised by agents.

Another type of complaint is new and increasing: telephone reports involving women who have been detained at the ports under suspicion of using false documents. These women seem just to disappear. Their families call us, desperately searching for them, saying they have not heard from their wives or daughters for several days.

These cases are difficult to follow because the family member may be in Mexico, further north in the U.S. or in another state, and therefore unable to come to our office to file a complaint. On a few of these cases, we have been able to get INS information and tell the family where the woman is being detained and when her hearing is scheduled. We have learned that the women's wrists and ankles are sometimes shackled when they are transported by plane from the San Diego airport to Las Vegas, Nevada. We have pictures that substantiate this treatment. To date, none of the women who has been deported through this process has contacted us to tell us of her experiences or the conditions of her detention.

A statistical summary of our 1995 cases is found in Table I.

Table I: Statistical Summary of Cases, 1995
San Diego, CA

<table>
<thead>
<tr>
<th>By gender</th>
<th>Male</th>
<th>22</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Female</td>
<td>17</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By age</th>
<th>Minors</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adults</td>
<td>26</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By immigration status</th>
<th>Undocumented</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Legal residents</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>U.S. citizens</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Border crossing cards</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By agency against whom report was made</th>
<th>U.S. Border Patrol</th>
<th>17</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>INS</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>Calif. Highway Patrol</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>U.S. Customs Service</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>National Guard</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>San Diego Police Dept.</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>County Sheriff</td>
<td>1</td>
</tr>
</tbody>
</table>

These cases are difficult to follow because the family member may be in Mexico, further north in the U.S. or in another state, and therefore unable to come to our office to file a complaint.

On a few of these cases, we have been able to get INS information and tell the family where the woman is being detained and when her hearing is scheduled. We have learned that the women's wrists and ankles are sometimes shackled when they are transported by plane from the San Diego airport to Las Vegas, Nevada. We have pictures that substantiate this treatment. To date, none of the women who has been deported through this process has contacted us to tell us of her experiences or the conditions of her detention.

A statistical summary of our 1995 cases is found in Table I.

Tucson, Arizona
by Jose Matus

The Arizona Border Rights Project has received dozens of complaints against immigration authorities from members of the indigenous Yaqui and Tohono O'odham tribes. Tribe members report that officials at the international bridges demand they show numbers of documents and give elaborate explanations of why they are crossing before permitting them entry into the U.S. These types of complaints are increasing and include reports of despotism, beatings and destruction of documents.

Yaqui and Tohono O'odham tribal territory extends on both sides of the international border and members cross frequently on tribal business and to participate in common traditional celebrations. In fact, the U.S. government extends federal benefits to tribal members in Mexico, as well as to those who live in Arizona. Tribes also have treaty rights to continue crossing the international border freely, as they have done for centuries.

Although the indigenous are required to comply with crossing procedures,
such as showing documents, officials have allowed them to cross with much greater flexibility in the past. Now, inspectors consistently show distrust of the indigenous' claims to tribal membership. Immigration authorities frequently detain entire families. Last year a Border Patrol agent beat a Yaqui man.

With new recruits and transfers coming into the Sonora, Arizona, sector, the situation has worsened. In the entire year of 1995, the Border Rights Project received six reports of this type of abuse. In the first three months of 1996, seven such claims have been filed.

El Paso, Texas
by Suzan Kern

While the El Paso Border Patrol Sector boasts that Operation Hold the Line has virtually eliminated Border Patrol abuse, community groups continue to receive reports from people whose civil and human rights have been violated by the Border Patrol at checkpoints, the international airport and both ends of the Border Patrol's human blockade.

In 1995, these reports included low-flying aircraft and helicopters "buzzing" neighborhoods outside El Paso's city limits, Border Patrol and sheriffs vehicles "sweeping" neighborhoods and questioning people who are out walking, unwarranted street stops based on ethnic appearance alone, intimidation tactics on church property and overzealous questioning.

Reports of abuses at El Paso's international ports of entry are also on the increase. A particularly disturbing trend involves U.S. citizens whose valid documents, including birth certificates and voter registration cards, are doubted and rejected by INS officers at bridges or checkpoints. Recently, Border Patrol agents held José Manuel Ceballos — a Spanish-speaking, native-born U.S. citizen — for hours, repeatedly threatened to jail him, and insisted he was using fraudulent papers. Faced with the

<table>
<thead>
<tr>
<th>U.S. citizen</th>
<th>Legal permanent resident</th>
<th>LPR political asylum applicant card</th>
<th>Border crossing status</th>
<th>Undoc. status</th>
<th>Unknown status</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Border Patrol</td>
<td>10</td>
<td>3</td>
<td>8</td>
<td>1</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>INS</td>
<td>8</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>U.S. Customs</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: El Paso Border Rights Coalition

said they had been the victims of official abuse while crossing at the bridges. The biggest complaints were that officials arbitrarily detain (reported by 36% of those surveyed) and threaten (reported by 24%) Mexicans.

People cited other types of incidents, including having drugs placed in their cars in order to test trained dogs, racial discrimination, discourtesy or despotic treatment and sexual harassment. Crossers say agents constantly doubt the authenticity of their immigration documents and that there are unjustified delays and excessive and careless searches of vehicles and personal belongings (such as tossing around, soiling, mistreating or tearing). Re-

<table>
<thead>
<tr>
<th>Psych./ verbal</th>
<th>Physical</th>
<th>Illegal/ inapprop. search</th>
<th>Violation of due process</th>
<th>Illegal/ inapprop. seizure</th>
<th>Seizure/ destruction of property</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Border Patrol</td>
<td>12</td>
<td>7</td>
<td>9</td>
<td>7</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>INS</td>
<td>20</td>
<td>4</td>
<td>2</td>
<td>8</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>U.S. Customs</td>
<td>6</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: El Paso Border Rights Coalition


**Table IV:**

<table>
<thead>
<tr>
<th>Immigration Status of Complainant, 1993-1995</th>
</tr>
</thead>
<tbody>
<tr>
<td>El Paso, TX</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>U.S. citizen</th>
<th>Legal permanent appli-</th>
<th>LPR resident</th>
<th>Legal permanent appli-</th>
<th>LPR resident</th>
<th>Political asylum status</th>
<th>Border crossing applicant card</th>
<th>Undoc. status</th>
<th>Unknown status</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>10</td>
<td>3</td>
<td>8</td>
<td>1</td>
<td>2</td>
<td>7</td>
<td>2</td>
<td>2</td>
<td>33</td>
<td></td>
</tr>
<tr>
<td>1994</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>8</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>1993</td>
<td>9</td>
<td>8</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>9</td>
<td>9</td>
<td>36</td>
<td></td>
</tr>
</tbody>
</table>

Source: El Paso Border Rights Coalition

Respondents also say agents respond inflexibly to explanations people offer them and that officials conduct unjustified and humiliating body searches and deny entry permits without explaining why.

Of 330 persons claiming abuse, 88% say they never reported the incidents, mainly to avoid delays and other problems, but also because they did not know where to make their complaints. U.S. Customs inspectors were blamed by 60% of those claiming abuse, 22% say INS inspectors abused them, and about 20% say they cannot tell the difference between officials of the two agencies.

Tables II-V contain a statistical summary of cases reported to the El Paso Border Rights Coalition in 1995. Table II shows 1995 complaints arranged by agency and immigration status of complainant, while Table III outlines 1995 reports by the categories of abuses involved. Psychological or verbal abuse can include use of racial or ethnic insults, rude or abusive language, threats and coercion, prolonged or aggressive interrogation techniques. Physical abuse may include shootings, beatings, sexual assault, injury by vehicles and high-speed chases.

Illegal or inappropriate search means questioning based solely on ethnic appearance, entry without warrant or consent, overzealous execution of search warrants, strip searching without proper motive and illegal raids. Violations of due process may include failure to advise of legal rights or eligibility for statutory benefit, denial of access to counsel and fabrication of evidence.

Illegal or inappropriate seizure of persons can be unlawful temporary detention, false arrest or illegal deportation. Property violations can be unlawful seizure or destruction of property such as documents, money, vehicles or other personal belongings.

Total number of abuses reported by type will exceed total number of abuses reported by status of complainant because each incident typically includes multiple types of reported abuse.

As the militarization of the border increases, so does the risk of injury and death to migrants, as people seek more isolated areas and more dangerous methods to cross the border. A study released by the University of Houston last March estimates that nearly 300 migrants drown each year while trying to cross the Texas border.

We filed formal complaints in the Rio Grande Valley on behalf of 31 persons during the calendar year 1995. We documented over 50 kinds of
abuses committed by Border Patrol and INS personnel against U.S. citizens, legal residents and undocumented persons. These abuses include coercive behavior by Border Patrol agents during arrests, sexual harassment and assault, excessive use of force and squalid or dangerous detention conditions. Seventy percent of our 1995 complaints involved physical mistreatment, verbal abuse or harassment and due process violations. Table VI contains a statistical summary of our 1995 cases.

On September 11, 1995, Carlos Ayala Navarrete died while in the custody of the INS. He had been detained at the Port Isabel Service Processing Center in Los Fresnos, Texas, where he reportedly hung himself in an isolation room. While the INS stated he was 18, witnesses who lived in the same barracks said he appeared to be only 15-16 years old. Witnesses stated he was the object of constant catcalls and sexual harassment by adult detainees. One witness said he feared for Ayala's well-being and was worried he was a victim of sexual assault by other detainees. Ayala acted out his distress and was placed in an isolation room by detention authorities. The local INS customarily detains minors in a shelter operated by International Educational Services in Los Fresnos. The Ayala case is under investigation by the FBI.

**Contacts**

The ILEMP Network partners can be reached at the addresses below:

Maria Jiménez, Director
Immigration and Law Enforcement Monitoring Project
6926 Navigation
Houston, TX 77011
7131926-2799 • fax 7131926-2877
afscilemp@igc.apc.org

Roberto Martínez and Leticia Jiménez
U.S.-Mexico Border Program
American Friends Service Committee
1129 “G” St.
San Diego, CA 92101
6191233-4114 • fax 233-6247

José Matus
Arizona Border Rights Project
P.O. Box 3007
Tucson, AZ 85702
6021770-1373 • fax 602623-7255

Suzan Kern
Border Rights Coalition
109 N. Oregon St., Rm. 404-D
El Paso, TX 79901
9151577-0724 phone/fax
skern@igc.apc.org

Jonathan Jones
Refugee/Immigrant Rights Coalition of the Rio Grande Valley
113 N. First
Harlingen, TX 78550
2101425-9552 • fax 2101425-8249
jcjaz@aol.com

**Table V:**

**Category of Abuse, 1993-1995**

**El Paso, TX**

<table>
<thead>
<tr>
<th></th>
<th>Psych/verbal</th>
<th>Physical</th>
<th>Illegal/ inapprop. of</th>
<th>Violation</th>
<th>Illegal/ inapprop. destruction of property</th>
<th>Seizure/</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>search</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>12</td>
<td>7</td>
<td>9</td>
<td>7</td>
<td>3</td>
<td>4</td>
<td>42</td>
</tr>
<tr>
<td>1994</td>
<td>4</td>
<td>2</td>
<td>7</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>9</td>
</tr>
<tr>
<td>1993</td>
<td>24</td>
<td>20</td>
<td>18</td>
<td>15</td>
<td>22</td>
<td>5</td>
<td>104</td>
</tr>
</tbody>
</table>

Source: El Paso Border Rights Coalition

**Table VI:**

**Statistical Summary of Cases, 1995**

<table>
<thead>
<tr>
<th>By gender</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>24</td>
<td>7</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By age</th>
<th>Minors</th>
<th>Adults</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5</td>
<td>26</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By national origin of complainants</th>
<th>Central American and other than Mexican</th>
<th>Mexican</th>
<th>U.S. citizen</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>18</td>
<td>8</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>By type of abuse</th>
<th>Physical abuse, including unlawful firearm use</th>
<th>Coercion and due process violations</th>
<th>Verbal abuse and harassment</th>
<th>Squalid detention conditions</th>
<th>Sexual harassment</th>
<th>Unwarranted strip search/ isolation</th>
<th>Food/sleep deprivation</th>
<th>Unnecessary detention</th>
<th>Entry without consent</th>
<th>Medical negligence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>14</td>
<td>13</td>
<td>8</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: Refugee/Immigrant Rights Coalition of the Rio Grande Valley

Nearly 300 migrants drown each year while trying to cross the Texas border.
For nearly a decade, the Immigration Law Enforcement Monitoring Project (ILEMP) of the American Friends Service Committee (AFSC) has documented the heavy costs of immigration control policies at our country’s southern border. Over the years, ILEMP has demonstrated beyond question a widespread and persistent pattern of abuses of civil and human rights by immigration authorities, ranging from verbal assaults, to illegal detention and homicide, falling on native-born as well as immigrants.

Now, a study published by the Center for Immigration Research at the University of Houston, and sponsored by ILEMP, sheds new light on the bitter human costs of current border control measures. The study, entitled "Migrant Deaths at the Texas-Mexico Border, 1985-1994," reveals that hundreds of border crossers die each year, casualties of the risks that undocumented migrants routinely take to evade immigration authorities.

The study adds a sobering new voice to our national dialogue on immigration — at a time when policy makers from across the political spectrum seem bent on imposing ever harsher and more militaristic conditions on those who cross the border. Bills pending in the last session of Congress, as well as recent moves by the Immigration and Naturalization Service (INS), all promise a dramatic upsurge in border control efforts. Yet such a response, as the University of Houston researchers warn us, will most likely only increase the human toll, “forcing migrants to move to more dangerous terrain or take greater risks to avoid apprehension.”

What does the University of Houston study tell us?

A minimum of 190, and, more likely, as many as 330 people die every year while attempting to make undocumented crossings into Texas. Some two-thirds of these fatalities are a result of drownings in the Rio Grande. (Texas accounts for roughly half of the 2,000-mile-long border between Mexico and the United States.)

Evidence exists that a substantial majority of migrant deaths are never officially registered in vital statistics data bases. The University of Houston researchers compared official Texas vital statistics for 1993 and 1994 with administrative logs from local fire departments (which respond to reports of drowning victims sighted along the river). During that period, 56 fatalities attributed to migrants were registered in state vital statistics records, while 136 were recorded in administrative logs — a discrepancy of 240 percent.

Of those deaths that are officially registered, as many as half of those who die are never identified. On the U.S. side of the border, the lack of resources for properly identifying
bodies and determining the cause of death contributes to this problem. The study documents how in most counties, official procedures are rarely followed, leading to over-hasty burials and cursory attempts to locate family members. (Identification rates are substantially greater on the Mexican side and in El Paso, the one Texas jurisdiction where a Medical Examiner must determine the cause of death.)

Prejudice is also undoubtedly a factor. The study quotes one local Justice of the Peace as saying that "if a judge has reason to think that a body is from this side, it's a good idea to order an autopsy. If it's from the other side," Likewise, an informant for one media account is quoted as stating that when local officials "find them in the river, they just assume it's death by drowning, and it's just another illegal Mexican. They're not from here. They don't matter. There's no investigation. There's no questions. But it's still a human being, isn't it?"

The fatalities that are analyzed in this study may be just the tip of the iceberg. In every instance, the University of Houston researchers used conservative assumptions to estimate numbers of deaths, in order to guard against unduly inflated figures. Using their conservative methods, 21 deaths were attributed to railway accidents for the ten-year period covered by the study. Yet the Federal Railroad Administration (FRA) reports 382 fatalities to trespassers on trains in the state of Texas for the same ten-year period, and FRA and railway officials believe that many of those who died in this way were undocumented migrants.

Likewise, nearly all of the deaths reported in the study occurred near population centers along the border. This may reflect a tendency by undocumented migrants to move along major highways and transportation routes — or it may indicate that additional deaths in isolated areas are going unrecorded.

In concluding their study, the University of Houston researchers state: "Death among undocumented migrants at the border constitutes a public health problem of nontrivial proportions. It is, however, a problem that especially affects the citizens of one country (Mexico), while the policies that affect the health risks are set by the government of another country (the United States). Further, on the U.S. side of the border, those responsible for monitoring the severity of the mortality problem are local and state officials. These officials have no direct say in the policies of border enforcement that give rise to the deaths."

**Increasing the risk of violence and abuse**

The University of Houston study appears at a time when Congress has recently passed legislation that may dramatically worsen a border enforcement environment that is already prone to violence and abuse. The "Immigration in the National Interest Act" (HR 2202, sponsored by Rep. Lamar Smith) may cause the most drastic changes in U.S. immigration laws in more than 70 years. The law follows on sweeping reform legislation passed in 1986 and 1990, enacted with the stated purpose of "shutting the door" to immigrants who enter illegally in search of work.

We believe that this legislation is fundamentally misguided, in that it does not respond to the actual causes of immigration. Like its predecessors in 1986 and 1990, the new legislation purports to be the instrument through which undocumented labor migration at last will be curtailed. Yet like its predecessors, it makes not one passing reference to the two major forces driving people to the desperate step of attempting illegal entry into this country: the terror of war and the crushing burden of joblessness and economic dislocation.

Indeed, one might well question whether undocumented immigration is the true target of border control policies. Although only 40 percent of undocumented immigrants enter the U.S. at the southern border, fully 88 percent of enforcement resources are concentrated there. Even the INS acknowledges that at least half of undocumented immigration occurs away from the border, and involves not illegal entries, but people who enter with valid tourist visas and stay past their expiration.

Likewise, Mexicans make up a minority (39 percent) of undocumented immigrants in the United States, but an overwhelming majority (90 percent) of those arrested for "illegal" immigration.

One might well question whether undocumented immigration is the true target of border control policies. Although only 40 percent of undocumented immigrants enter the U.S. at the southern border, fully 88 percent of enforcement resources are concentrated there.

From this perspective, the intensification of enforcement at the southern border may be seen more as an expression of resistance to the social integration of Mexico and the United States, whose populations have been increasingly intermingled for more than 150 years, in an era when government policy on both sides is promoting an ever-increasing economic integration between our two neighboring countries. INS agents in the field know that higher barriers in one place merely divert border crossers elsewhere. Terming such intensive crackdowns "squeezing the balloon," they acknowledge the futility of measures designed to make the crossing more difficult. One Border Patrol supervisor told a reporter...
recently that "if someone is determined to come across, they're going to make it. What's driving these people is human needs." Another explained why he and his colleagues did not bother to warn those they apprehended not to try to cross again: "You put yourself in their shoes, and you can see exactly what . . . is going on out here. You can understand where they're coming from." Another said simply: "Everybody has a right to work, to make a living, for his dignity. I assure you if the roles [of the countries] were reversed, I'd be in Mexico."  

**What will be the impact of the new legislation?**

The new law will heap armaments and fortification on the border (including fourteen miles of triple fencing in the San Diego sector) and mandate vast increases in border guards (up to 4000 over four years). The law would strip the already powerless of the few constitutional protections they can now claim, and in myriad ways cut deeply into the civil and human rights of citizen and immigrant alike. People fleeing from persecution to request asylum at our borders would be forced to make their case at the gate or face summary denial; people who cross the border daily to work a few miles from their home would, if apprehended, be sent deep into the interior of Mexico to "deter" their crossing again; those caught making a third attempt to enter would automatically be jailed in this country for the offense. 

Residents of border communities in the U.S. and Mexico have raised their voices to protest the senseless militarization of their neighborhoods, the increasing intrusion of INS, military and police officers into their lives, the razor wire that scars the landscape and the body. To their surprise they have been joined in protesting some of these provisions by the border-keepers themselves. The INS has warned that it can not possibly recruit and train qualified agents at the rate Congress has proposed — a rate that would double the size of the Border Patrol in four years. The INS has argued that it will be forced to promote unqualified agents to supervisory positions, further weakening what it acknowledges is already a deeply inadequate system of internal discipline and accountability. It also warns that the proposed three-tiered fence near San Diego, the nation's busiest port of entry, poses a significantly increased danger of injury to its agents as well as to border crossers.

**What is the INS already doing at the southern border?**

Such initiatives do not reflect a policy shift so much as an intensification of existing trends in border enforcement. Since 1993 the INS has seen a 72 percent increase in budget; this year alone its staff will increase by nearly 25 percent.

In 1993 and 1994, the INS instituted blockades, with new physical barriers and massive increases in Border Patrol agents, at the busy crossings in El Paso, Nogales and San Diego. Agents have made increasing use of military hardware such as helicopters, night-vision scopes and motion detectors, and National Guard troops and U.S. military bases have been integrated into border control operations.

The border has always been a treacherous place. But in the last two years, as border enforcement efforts of the Clinton administration have accelerated, the character of physical barriers at portions of the Mexico-U.S. border has changed dramatically, from chain-link fences to razor-edged steel walls, from relatively level ground to hazardous complexes of artificial embankments.

These barriers pose a greatly increased risk of injury for the people who must navigate them, whether migrants or border guards. In addition, to the extent that people are deterred from crossing at ports of entry, they are merely forced to attempt more hazardous methods of getting across. Some wade through heavily polluted rivers and swamps hoping the Border Patrol...
will not follow, sometimes standing immersed for hours trying to outwait agents on dry ground. Cars crammed past capacity with migrants drive through highway checkpoints at high speed and are frequently chased, resulting in injury and death. Those traveling on foot face hazards ranging from dehydration in the burning Arizona desert to brush fires in the mountains near San Diego.

Many migrants are venturing farther from traditional crossing-points into more isolated and rugged terrain, where they face much greater risks of injury and death. With the institution of blockade operations at the most heavily trafficked crossing points, more remote areas have seen an astronomical rise in attempted crossings and apprehensions. Far out in the desert migrants face a lack of shelter, food and water, and greater vulnerability to the "coyotes" or smugglers to whom they must entrust their lives. Border Patrol agents also face increased risks: one young agent fell to his death in the San Diego mountains last year.

Some points for consideration

Because these policies do not take the root causes of undocumented immigration into account, we believe that they are essentially unworkable, unlikely in the extreme to achieve their stated goal of "sealing the border." As the University of Houston researchers remind us, "previous research has shown relatively little effect of border enforcement on the volume of migration flows." Unwilling or unable to address the complex of problems in both countries presented by the unregulated globalization of the economy — among them joblessness, a persistent decline in real wages and standards of living, and weakening labor protections — U.S. lawmakers seek to fix the blame for these problems on immigrants, particularly Mexicans, and to take punitive and "decisive" steps to satisfy the public furor they have in large part created. In the process, border crossers and all immigrants are vilified as "illegals," perpetuating the myth that they are a drain on our society’s resources and creating a climate in which they are seen as a fitting target for discrimination and violence.

In contrast to this dehumanizing discourse, the University of Houston study leads us to look at the human dimension of the border. Each fatality is a human life lost. Each hastily buried, unidentified body belongs to a family that waits, and wonders, and never knows. This burden of loss and grief is part of the cost of U.S. border control policies — although, as the University of Houston researchers remind us, it is a cost that is seldom considered, because it is not borne by those who set the policies. A more dispassionate, humane, and rational view of border enforcement policies would consider threats to human life as risks to public welfare that need to be reduced, not amplified.

In our decades of program experience along the Mexico-U.S. Border, as well as with migrants and refugees from many nations around the world, AFSC has thought long and carefully about the place of borders in relations between nations. Our core vision is not of a world without borders, but of one where borders are the product of mutual agreement and are mutually acknowledged, jointly administered, and demilitarized. We believe that the legitimate interests of all parties can best be addressed through streamlined border crossing procedures that respect human dignity and rights. We note that economic and political decision makers are seeking to remove all limits to the international movement of capital, while placing increasingly harsh restrictions on the movement of people.

In closing, looking beyond our concern for the humanity of all border crossers, we must reiterate our conviction that current developments at the border have very troubling implications for the country as a whole. The blurring of lines among local police forces, immigration authorities and the military is a significant step in a very dangerous direction. The "worker verification" system in HR 2202 is tantamount to a national ID card, representing a break with long-standing and deeply held tradition in the United States. In these and other developments, we can see how attempts to sharpen the divide between citizens and non-citizens diminish the very concept of citizenship for all of us.

Notes

2 M. Fix and J. S. Passel, Immigration and Immigrants: Setting the Record Straight, Urban Institute, 1994.
5 Id. note 6.
7 Fact-finding mission of the INS Citizens’ Advisory Panel in the San Diego Sector, 7/13/95; see also "A Losing Battle," note 6.
8 According to reports collected by AFSC's U.S.-Mexico Border Program in San Diego, in 1995 11 people were killed (including migrants and U.S. citizen motorists) in high-speed chases involving the Border Patrol in the San Diego Sector, site of the largest blockade operation.
9 In one recent incident, on January 20, 1996, one migrant was killed and six critically injured when they fell from a 120-foot cliff in the Otay Lake region west of San Diego.
10 INS reports increases for January 1996 of 116 percent in Nogales, AZ, 144 percent in Yuma, AZ, and 278 percent in El Centro, CA, over January 1995 levels. The average increase in apprehensions borderwide is 66 percent, and is largely due to personnel and equipment increases.
11 Agent Luis Santiago, 30, was among 279 new agents assigned to the San Diego Sector under Operation Gatekeeper in late 1994. He was nearing the end of his training period when he fell to his death from a cliff near the Otay Lake while chasing a group of immigrants in March 1995.
A significant number of migrants between Mexico and the United States meet with their death while crossing the border. Many remain unidentified and their relatives may never know what really happened to their loved ones. Such uncertainty, persisting despite innumerable fruitless efforts to determine someone’s whereabouts, can create deep emotional scars. Collectively, this phenomenon has come to be known as “los desaparecidos” (the disappeared) of the border. The following testimonies are drawn from the report, Migrant Deaths at the Texas-Mexico Border, prepared by the Immigration Law Enforcement Monitoring Project of the American Friends Service Committee.

“My found no help”
Testimony of Andrea Delgado

My name is Andrea Delgado. I am 49 years old. I come from Morelos, Mexico, but now I live in Houston, Texas. I used to work as a machine operator in a plastics factory, but I was fired after working twelve years.

In 1988, I was trying to bring my brother, Wilfrano, to the United States to get him some medical attention, because he was suffering from a respiratory problem. I was going to help him. He had his family in Mexico, his wife and three children. He had to leave his family behind to come to the States.

Because he did not have legal papers to cross the border, a person was going to help him cross. I met this person in the streets of Houston. The plan was that this person would take my brother across to Brownsville, Texas, and then she would bring him all the way to Houston. I believe they were going to cross the river on a boat. They were going to cross him alone; there were no more people with them. My brother had never crossed the border, so to give him some support I met him in Matamoros.

Before I left for Matamoros, on November 20, 1988, my brother called me from the bus station there. That was the last time I spoke with him, because when I arrived in Matamoros, the coyote told me that she had some bad news for me. She told me that when they tried to cross the border they were held up at gunpoint and that Wilfrano had run away. He didn't know the area at all. She said that they looked for him but didn't find him.

I told them I didn't believe them, that it wasn't true. That was when my brother disappeared; we've never seen him again. I stayed in Matamoros for a week, trying to find him. I went to radio stations and newspapers to publicize his disappearance. I went to all of the authorities, from the lowest to the highest levels.

In Brownsville I went to the jail and the INS office, without results. They told me to look for my brother among the drowning victims pulled from the river. That's how I began my search. On the Mexican side I was never allowed to see the bodies or the records the funeral homes kept on the bodies found in the river. All I got from them was a list with the names of the drowning victims.

The authorities, such as the police, told me that my problem was a Mexican one, not American. That my brother was a wetback, "just another wetback," and that it was the Mexican authorities who had to help me. On this side I found no help at all. Still, I've never found my brother's body, or dreamed of his death.

I went to every single funeral home in Matamoros and Brownsville. Every time a body was pulled from the river I was there. It was very difficult, since I am a woman alone, with two daughters and my mother to take care of. At that time I was working, but I had to travel frequently to the border, leaving my family, and my sick mother, alone. Now I've been out of work for two years. It's been a very cruel story.

In Mexico I went to various authorities, including the Procuraduría [equivalent to the state’s attorney], the Policía Judicial [judicial police] and the Ministerio Público [equivalent to the Justice Department]. I made copies of a photo of my brother and I took it to all the authorities. They couldn't find him. I made various sworn statements but nobody paid attention. I went to see the PRD [an opposition party] to see if they could help me. I tried to reach President Salinas by writing him a letter. I wrote another one to George Bush. I did
I also consulted two lawyers, one in Reynosa and one in Matamoros. They only wanted money, more money. As I told you, I live alone and I don’t have many resources. Still, I have spent thousands of dollars. One of the lawyers charged me $1000 and then I never heard from him again. The other told me that an official from the Ministerio Público was asking for a certain sum to investigate my brother’s case. They only wanted the money, they never did anything, just gave me the run-around.

My sister-in-law does not have the resources to leave Mexico, and besides she believes that her husband is dead. Or so I assume; we haven’t really talked. She’s angry with me because I am the one who brought my brother over. They think I bear a lot of the blame.

The problem is that I have never received justice. That’s what I’m asking for: justice. I’m asking for help because my brother is not dead. Even though eight years have passed, I will keep looking until I find him.

“I was dying of pain”
Testimony of Mario Alvarenga

My name is Mario Alvarenga. I am 40 years old, and I come from Honduras. I had to flee my country. My father had land, but he lost it all. When he tried to get it back he was severely beaten by the Army, from which he died two years later. They started looking for us, his children, too. That’s why I had to leave.

I left my wife and five children in Honduras, and left for the United States on the first of January, 1994, traveling by land. I went as far as Guatemala legally, but from the time I entered Mexico I was traveling without papers. Sometimes I had to walk on foot for many hours. In Mexico I had to be very careful of the police and the immigration authorities. It took me a month to cross Mexico and reach the U.S. border.

When I arrived in Matamoros I met a person who took people across. I tried to cross the border three times with other people, usually by crossing the river in the shallowest part. The first time we were caught by the migra [Border Patrol] in Harlingen, Texas. I told them I was Mexican and they only deported me to Matamoros. The next day we tried again, but they caught us again and sent us back. Then I ran out of money and so I worked on a Mexican farm for a couple of weeks, until I had enough money to make a third attempt.

This time we made it across the river. It was midnight, and our guide took us to the railroad tracks. We tried to jump up on a passing train. I jumped up and grabbed on by one hand. It was very dark and hard to see. In that moment I was caught by an intense beam of light, I think it was the migra. The light blinded me. I was dazed and since I didn’t have a good grip, I slipped off. It was the worst thing that could have happened to me.

As I fell from the moving train, my legs went between the rails and the wheels of the train . . .

We tried to jump up on a passing train. I jumped up and grabbed on by one hand.

In that moment I was caught by an intense beam of light, I think it was the migra. The light blinded me. I was dazed and since I didn’t have a good grip, I slipped off. It was the worst thing that could have happened to me.

As I fell from the moving train, my legs went between the rails and the wheels of the train . . .

...
My brother-in-law found my father. While they were searching along the riverbanks, he saw, on the U.S. side, some migras trying to haul out a body. My brother-in-law shouted to them that he recognized the body, that it was his father.

...the migras. A few days later he changed his mind and told me that in reality there was nothing I could do. This was unjust. Today I have only one leg. I have to use a prosthesis to be able to walk. The hospital is billing me for the cost of the surgery. They send me letters. I cannot pay them. I have not received help from anybody to resolve my case. I am filing my residency papers, but I don’t even have money to hire a lawyer to help me.

..., it was his father. All this happened that same day, August 5, 1985. That afternoon and evening went by and we did not find my father. I have a very large family and almost all of us joined the search, walking along the river banks hoping to find our father.

The next day we received a call, that they had found someone who had drowned in the river. Personally, I went to see the body, but it was not my father. That day, when I returned to Juarez, I ran into my brother-in-law. He told me that while they were searching along the riverbanks, he saw, on the U.S. side, some migras trying to haul out a body. My brother-in-law shouted to them that he recognized the body, that it was his father.

On hearing this, according to my brother-in-law, the migras pushed the body over to the Mexican side, so that it would be pulled out on that side. On the Mexican side, the fire department and the police arrived. One of those officials from the Ministerio Público who receives sworn statements also arrived. From there they took my father to a hospital in Juarez where my family members identified him and an autopsy was performed. The results of the autopsy were that my father had died through asphyxiation due to immersion, or something like that.

That is the story of my father’s death. That incident really made me more aware. Since then I pay more attention to other cases. I learned that there had been 33 drowning victims that year.
Immigration and the Environment in the U.S.: Myths and Facts

by the Political Ecology Group

**MYTH:** "More immigrants to the U.S. mean more environmental degradation and lower quality of life."

**FACT:** Over-emphasizing the role of population growth in environmental problems ignores who has control of production and consumption decisions. Many of the causes of environmental decline in the U.S. have nothing to do with population growth or individual consumer choices. The military, the nation’s largest single polluter, and corporations produce much more toxic wastes than households. Corporate advertising drives overconsumption and creates demand for new products that are often more environmentally destructive than old products. Sprawling suburbs, planned and built by developers, gobble up prime agricultural land and wildlife habitat. The public has little control over these decisions.

Corporate lobbying against regulations often undermine attempts to make companies clean up after themselves or make new developments more compact and efficient. Corporate actions also limit individual decisions for more sustainable lifestyles, such as taking mass transit instead of driving. For example, in the 1930s and 1940s General Motors, Firestone, and Standard Oil (now Chevron) bought out and dismantled the electric trolley system in Los Angeles and 100 other cities in order to guarantee demand for their products.

**MYTH:** "An immigration moratorium will have economic, environmental, and social benefits for Americans."

**FACT:** Forward-thinking policies, not scapegoating, will benefit Americans. Urban development strategies that encourage environmental cleanup, bring jobs to under-employed communities, revitalize deteriorating neighborhoods, and counteract suburban sprawl and our dependence on the automobile are better solutions to our economic, environmental and social problems. Anti-immigrant postures and legislation foster a climate of hate detrimental to the overall quality of life in the U.S.

**MYTH:** "Rising population, fueled by immigration, is the cause of our water quality and scarcity problems."

**FACT:** Unregulated corporate and government practices before the passage of the Clean Water Act, including mining, forestry, ranching, industrial production, and chemical-intensive agriculture, not immigrants, are responsible for the decline in water quality in the U.S. The cleanliness of the water we drink has been improving since the Act was passed, proving that neither population nor immigration are responsible for water quality problems. Further, while water quality and supply are valid concerns in much of the American Southwest, including California, immigrants are not the problem. Inefficient water practices in the agricultural sector, coupled with inefficient urban water use, are the reason for projected shortfalls in water supplies and the destruction of much of the Central Valley's natural resources—including 95 percent of our wetlands, 90 percent of riparian forests, and 95 percent of fish spawning habitat. This need not be the case. Through more sustainable water management practices, greater use of existing water efficient technologies, and increased use of reclaimed water, per-capita urban water use can be cut by nearly 50 percent, agricultural demand can be reduced significantly, and environmental water needs can be met.

**MYTH:** "Immigrants take jobs away from American workers."

**FACT:** Immigrants are job makers, not job takers. Although immigrants have replaced native-born workers in some instances, most U.S. workers benefit from immigration. Through forming new businesses, spending and capital investment, immigrants create jobs. Rather than reducing the employment or wage rates of U.S.-born low skill workers, studies find that immigrants boost the employment and income of all Americans.
**MYTH:** "Immigrants are hurting the economy."

**FACT:** Immigrants keep American industries competitive and help retain jobs in the U.S. Immigrants have a higher rate of labor force participation, a higher savings rate, and a higher propensity to start new businesses and create jobs. Through consumer spending, business startups, job creation, home buying and tax payments immigrants revitalize neighborhoods and entire cities, and generate greater socioeconomic mobility for all Americans.

**MYTH:** "Immigrants receive a disproportionate amount of welfare and other public assistance."

**FACT:** Immigrants use less public assistance and are less likely to become dependent despite higher poverty rates. Legal immigrants make up 22% of the population of California, but only 12% receive AFDC. Because immigrants are younger than the native-born population, more work and fewer depend on public services. For example, of all immigrants who entered the US from 1980 to 1990, only 1.5% received social security, compared to approximately 13% of U.S.-born residents of California.

**MYTH:** "Immigrants don't pay their fair share."

**FACT:** Immigrants pay far more in taxes than they receive in public services. Over their lifetimes, immigrants pay $15,000 to $20,000 more in taxes than they receive in government benefits. Although undocumented immigrants are ineligible for almost all benefits, including unemployment and social security, they pay into these programs through taxes and payroll deductions.

**MYTH:** "The United States is not responsible for immigrants from other countries."

**FACT:** Many people become migrants as a result of environmental destruction in their country of origin. In fact, the soil erosion, deforestation, water contamination and ecosystem destruction that forces people to migrate is directly caused by transnational corporations extracting resources to serve overconsumption in the industrialized nations. The U.S. economy is a major contributor to this problem and needs to take responsibility for reducing its overconsumption, stopping destructive practices by U.S. transnationals and accepting its share of immigrants, many of whom are environmental refugees.

**MYTH:** "Immigrants come here to live off the system."

**FACT:** Immigrants come for jobs, not public assistance. Most new immigrants are automatically disqualified, with the exception of emergency medical services, from receiving public benefits (for three years) and even those who are eligible generally avoid public assistance programs. U.S. public benefits and services are not a magnet for immigrants. Rather, people immigrate in search of employment, to join families or to flee political persecution. Only 3.8% of California’s long-term immigrants receive welfare, social security, or other types of assistance, compared with 4.1% of native households.

**MYTH:** "Our borders are out of control; we are being overwhelmed by immigrants."

**FACT:** Immigrants today make up a significantly lower percentage of the U.S. population than during much of U.S. history. In the early part of this century, immigrants comprised 15% of the U.S. population; in 1990 immigrants made up only 8% of the U.S. population. Seventy-five percent of legal immigrants are admitted under the family reunification act and 10% as refugees (or less than 1% of all political refugees recognized by the United Nations worldwide). These immigrants fill the demand for skilled and unskilled labor and become productive members of society.

**MYTH:** "Immigrants not only have higher rates of growth but quickly adopt resource intensive lifestyles."

**FACT:** Blaming population growth is a convenient way to ignore the varying impacts of different groups of people and institutions. The impact of an immigrant family living in a one-bedroom apartment and taking mass transit pales in comparison to that of a wealthy family living in a single family home with a swimming pool and two cars. That the U.S. with only 5% of the world’s population consumes 32% of the world’s petroleum and plastics and produces 22% of the world’s carbon dioxide and chloroflourocarbon (CFC) emissions is not a reason to close our borders but to change our superconsuming economy. For example, reducing energy use can be achieved by adopting policies that promote energy efficiency, mass transit, and renewable energy technologies.

**The Immigration and Environment Campaign**

The Immigration and Environment Campaign is bringing the Environmental and Immigrants Rights movements together to protect the environment and the health, human rights and livelihoods of all our communities. The campaign is coordinated by the Political Ecology Group (PEG). To receive a copy of the Immigration and Environment Campaign Organizers Kit containing resources for action like this factsheet, please send $2 to: Political Ecology Group, 965 Mission, Suite 700, San Francisco, CA 94103. 415/777-3488.
The Political Prison in Mexico

by Judith Galarza

Throughout the history of humankind and the socio-economic development of humanity, using violence against social struggles has been a common practice of the dominant classes against those who rebel and demand justice for the oppressed.

Mexico is no exception. From the indigenous struggle against Spanish colonialism to the revolution of independence, the revolution of the democratic-middleclass of 1910-17, and the great labor, rural and popular mobilization of the 1930s, '50s, '60s and '70s, the existence of social and political prisoners has been an unfortunate reality in our country.

The historic memory preserves the Mexican example of dignity that Cuauhtemoc gave us. Cuauhtemoc was taken prisoner by the Spanish conquerors, who tortured him for leading the Aztec resistance. They burnt his feet before ordering his humiliation and surrender.

Likewise, during the War of Independence we remember the torment of the priest Don Miguel Hidalgo y Costilla who suffered political imprisonment, in what is today the city of Chihuahua, where he was executed by the Spaniards. Today, there is an altar dedicated to the homeland in honor of his tenacity and courage.

Similarly, there is the story of the troubled life of the social fighter Ricardo Flores Magon, who after battling the Porfiriato* for years at the end of the 19th century, ended up dying in the political prison in Leavenworth, Kansas, in the United States. The United States government became an accomplice of Mexican head of state Porfirio Diaz by putting an end to the life of the revolutionary. An enormous social movement was generated against the Porfirismo when the 1910 Revolution against the dictatorship broke out. This movement paid a high price with the blood of peasants and laborers. It ended poorly for popular interests, represented by Emiliano Zapata and Francisco Villa, who fell under the bullets of those who finally took power, to give way to another phase of oppression against the most impoverished classes.

This is how the manifestations of popular discontent resurfaced beginning with the big railroad strikes in 1959, where leaders like Valentín Campa and Demetrio Vallejo were made political prisoners of the regime that just four decades before had taken power rejecting injustice and imposition.

Mobilization followed strikes and rebellions such as the ones by doctors, students and popular sectors, who also suffered repression and violence, such as what happened with the peasant leader Ruben Jaramilloin the State of Morelos in 1961 or with professors Arturo Gamiz Garcia and Pablo Gomez in Madera, Chihuahua in 1965.

The popular-student movement of 1968, with its enormous mobilization in pursuit of respect of human rights and political liberty, ended in a massacre of students and an indiscriminate wave of repression that turned hundreds of intellectuals, students, labor leaders and peasants into political prisoners of the "modern" Mexican state.

From that date on, the Mexican state then developed a "war of low intensity" against the people. On one hand, the government painfully and cruelly repressed individuals, while on the other it attempted to negotiate and dialogue with those that opposed the government without resolving the social inequity and injustice which was the root of the problem.

The struggle against this political violation has had its advances and its setbacks. This is why we have today hundreds of political prisoners from all different social and political strata: indigenous people who have organized in their communities and who don't even speak the Spanish language; progressive intellectuals committed to the movement; peasants and labor leaders; students who abandoned the universities to join the social struggle; and even militants from armed revolutionary organizations.

We count on hundreds of organizations that defend human rights throughout the country that have contributed to the enormous social movement that grows in Mexico to force those who today hold the power, to stick to our constitution, to respect the Universal Charter of Human Rights, to adhere to the arguments against torture and forced disappearance, and other crimes of that nature that even today plague our people.

Our job is focused on the strengthening of our duties of national and international denunciation, stripping the Mexican state and its repressive and authoritarian government of its "democratic" and "humanistic" facade and preventing massacres like the one that occurred in Aguas Blancas, in the state of Guerrero, in June of last year. This is all evidence of what Mexico is really capable of being — a state in transition towards fascism.

Judith Galarza is with the Independent Committee of Chihuahua Pro-defense of Human Rights, A.C. (CNI-FEDEFAM), and is on the Coordinating Council of the Southwest Network for Environmental and Economic Justice.

*The President's name was Porfiio, so the government was called a "Porfiriato," i.e., Somoza, "Somocismo."
Cross-border Indigenous Nations: A History

by Rachel Hays

When the Hecla mining company began operating an open-pit mine on Quitovac ejido land in 1993, company officials assured local residents that Hecla's mining procedures were environmentally sound. But despite the yearly compensation Hecla agreed to pay the community, residents of Quitovac, one of several O'odham villages in Sonora, soon became disenchanted with the company's presence and environmental record, blaming its unfenced cyanide leach pit for a host of ills, from poisoned animals to contamination of a sacred healing spring featured in the O'odham creation myth.

O'odham on both sides of the border came together to oppose the mining company's operation in Quitovac. After a series of community meetings attended by O'odham from the United States and Mexico, the traditional O'odham leaders in Mexico filed a petition with Mexico's agrarian attorney general demanding the revocation of Hecla's mining permit. Until late 1995, the Tohono O'odham Nation didn't officially recognize the authority of the traditional O'odham leaders in Mexico. Now representatives of the Tohono O'odham Nation in Arizona are providing technical support and legal advice regarding the wording and filing of the petition. The Tohono O'odham Nation also filed a statement with the Instituto Nacional Ecologista, the Mexican agency that issued the mining authorization, in support of Quitovac's desire to revoke Hecla's permit.

The petition is still pending approval in the agrarian attorney general's office, but it serves to illustrate the ways in which Native peoples split by the U.S.-Mexico border are coming together in pursuit of solutions to their common problems. Quitovac's struggle is part of a trend toward cross-border indigenous cooperation that many Native activists and tribal leaders say has been increasing in recent years. The Tohono O'odham are not the only Native people bisected by the border. In addition to the Tohono O'odham, the Hia-Ced O'odham, Cocopah, Yaqui, and Kickapoo Nations all have groups in both the United States and Mexico.

The O'odham

When the Spaniards reached what is today northern Mexico and southern Arizona, they found numerous small bands of O'odham-speaking people. The Spaniards called them all Papagos, ignoring differences among the residents of the Sonoran desert. The O'odham themselves recognized the Tohono O'odham (Desert People) and the Hia-Ced O'odham (Sand People). Further north, the Ak-Chin O'odham and the Akimel O'odham (River People, otherwise known as Pimas) also shared aspects of Papago language and culture. Traditionally, the O'odham were semi-nomadic subsistence farmers, dependent on springs and infrequent desert rains to irrigate their crops. Like other Indians of the Southwest, the O'odham were pushed into practical alliances with the Spaniards as protection against the threat of Apache raids. Contact with the Europeans brought the O'odham into more permanent settlements, clustered around Jesuit missions and Spanish presidios. Life changed even more for the O'odham after the Mexican-American War. The Treaty of Guadalupe Hidalgo and the Gadsden Purchase of 1853 created an international boundary that split the O'odham in two. Despite common culture and heritage, the O'odham grew apart.

When white developers began tampering with the Colorado River early this century, the ensuing floods, drought, and increased salinity drove many Cocopah from their traditional homeland.
According to Joseph Garcia, lieutenant governor of the O'odham in Mexico: "The border caused a split within the O'odham people. For a long time, we were referred to as 'those people in Mexico.' But it's not like that.... We are one people, even though we are living in two countries."

There are nine O'odham villages in Sonora represented through the traditional O'odham leaders, but the O'odham in Mexico have lost much of their ancestral homeland to mestizo cattle ranchers and farmers. Today the tribe is left with less than 1,800 acres, which is hardly enough to support the subsistence farming pursued by O'odham for generations. As a result, many Mexican O'odham have scattered, becoming migrant workers or following the pull of cities like Hermosillo and Caborca. The diffusion of O'odham from Mexico has eroded their cultural identity and reinforced their estrangement from their kin on the U.S. side of the border. The O'odham in Arizona fared somewhat better than their counterparts in Mexico. While a large part of traditional O'odham land is held by the U.S. government as an air force base, a game range, and a national preserve, the Tohono O'odham reservation is one of the largest in the United States. The Hia-Ced O'odham gained tribal recognition from the Tohono O'odham Nation in 1984, but are still without land of their own.

The Yaqui

Originally from the Yaqui River Valley near Guaymas in present-day Sonora, the Yaquis were seminomadic subsistence farmers who practiced floodplain agriculture. After European contact the Yaquis too entered into a practical alliance with Spanish Jesuits and soldiers against the marauding Apaches. The Jesuit mission system consolidated the scattered Yaqui rancherías into the famous "eight pueblos" of Río Yaqui still inhabited by Yaquis today.

During the late 1800s, Mexican encroachment on Yaqui land pushed one small band of Yaquis into the nearby Bacatete Mountains, where they waged a guerilla war against hacienda families and the Mexican military. The same dynamic propelled many Yaquis to Arizona in search of railroad and farmworker jobs that could help fund the guerillas back at Río Yaqui.

Migration to the United States surged again during the years of the Mexican Revolution, as Yaquis fleeing northern Mexico's political violence settled outside the growing desert cities of Tucson and Phoenix. Yaqui settlements in Arizona include Old Pascua, Barrio Libre, Guadalupé, and Yoom Pueblo.

In 1962 Yaqui leaders in the United States persuaded Congress to designate 200 acres southwest of Tucson as the "New" Pascua Reservation; today it has expanded to nearly 900 acres. Even with a land base, the U.S. government did not recognize the Yaquis as a tribe until 1978. And it was not until two years ago that the Yaquis received federal recognition as a historical tribe, with legal ties to the land their ancestors had lived on for thousands of years. Before the 1994 legislation, the Bureau of Indian Affairs had considered the Yaquis a "created" tribe because of their Mexican origins, a designation that excluded the tribe from many federal benefits.

Despite the relatively large distance that separates them, Yaquis have managed to maintain a sense of common identity. Religious culture is largely responsible for the common bond. Since the creation of the present-day border, Arizona Yaqui have travelled to Río Yaqui for the annual fall Magdalena Fiesta, while Sonora Yaqui are often invited to the Arizona villages to help perform certain ceremonies.

Since contact with Europeans the Kickapoo people have certainly lived up to their name, which means "he moves about, standing now here, now there."

The Cocopah

The Cocopahs' history is inextricably bound with that of the Colorado River, a sad story of exploitation familiar to students of the West. The Cocopah, a Yuman-speaking people from the Colorado River Delta, were semi-nomadic floodplain farmers who frequently traveled up and down the river to survive. Today, the Cocopah community straddles two countries and four states: Arizona, California, Sonora, and Baja California.

Like the O'odham, the Cocopah were first split by the Gadsden Purchase of 1853, which left a small band of Cocopah under U.S. jurisdiction. When white developers began tampering with the Colorado River early this century, the ensuing floods, drought, and increased salinity drove many Cocopah from their traditional homeland. Two groups traveled upriver to the area near Somerton, Arizona, and two clans remained in Mexico. A few others were drawn to California's Imperial Valley by jobs available when white developers sought help in opening up the land for agriculture. Initially, the border between them meant little to the various Cocopah clans, who continued to travel freely up and down the river. In the late 1930s the U.S. Immigration and Naturalization Service, driven by Depression-era anti-immigrant sentiment, cracked down on Cocopah movement across the border, effectively splitting the tribe into two groups.

Most of the nearly 800 Arizona Cocopah now live on two small reservations in the Somerton area that were given to the tribe by President Wilson in 1917. The Mexican Cocopah were granted an ejido in the lower delta earlier this century, but mismanagement
The Kickapoo

Since contact with Europeans the Kickapoo people have certainly lived up to their name, which means "he moves about, standing now here, now there." An Algonquin-speaking people originally from the Great Lakes region, the Kickapoo experienced over two hundred years of flight before settling in parts of Kansas, Oklahoma, Texas, and Coahuila. Though Kickapoo migrations were usually undertaken by small groups rather than by a unified whole, such "adaptive migrations" always formed part of a larger pattern of resistance and survival for which the Kickapoo people are known.

A series of broken land treaties and the desire to live free of European influence pushed the Kickapoo steadily southward from Wisconsin during the eighteenth and early nineteenth centuries. Also during these years many Kickapoo bands traveled to Mexico and settled along Mexico's northern frontier, invited by the Spanish and Mexican authorities to serve as a buffer zone against U.S. expansion and Comanche and Apache raids. In 1832, U.S. Army officials granted tribal members the right of "safe conduct," allowing them to pass freely across the border. This right has been guarded jealously by the Mexican Kickapoo. An 1850 land agreement with Mexico granted members of the tribe the same rights as Mexican citizens and reserved for them a one-square-mile reservation called Hacienda el Nacimiento, near Musquiz, Coahuila, where many still live. By 1865 there were approximately 1,300 Kickapoo in Mexico. They supported themselves by hunting, farming, and conducting raids on Apache, Comanche, and Texas settler camps.

In the 1940s, after a brief period of stability, a number of factors forced the Mexican Kickapoo to move once again. Protracted drought and excessive groundwater pumping by the American Smelting and Refining Company (ASARCO) left the Kickapoo unable to support themselves by traditional agriculture. The Mexican Kickapoo were particularly sought out as farmworkers, especially as the Bracero program wound down, because of their border-crossing abilities. Many Mexican Kickapoo still work as migrant farmworkers during the harvest season, returning home to Mexican villages during the winter. Kickapoo in the United States live in three tribal groupings in Oklahoma, south Texas, and Kansas. In the 1980s the U.S. Immigration and Naturalization Service invited all Kickapoo living in Mexico to become U.S. citizens even while continuing to reside in Mexico. Those who had not registered by the end of the decade are still eligible to become legal U.S. residents, but not citizens. Mexico grants resident Kickapos all the rights of citizens. Not surprisingly, Kickapoo interviewed for this article do not perceive the border to be nearly the impediment that other borderlands tribes do.

Native Nations Pursue Sovereignty, Fair Trade, and a Clean Environment in the Borderlands

by Rachel Hays

Indigenous ties across the border have existed as long as the border. Communication between families and larger social networks were hindered by the political boundary, but not eliminated completely.

As early as the 1970s, the traditional O'odham leaders in Mexico began petitioning the Tohono O'odham Nation in the U.S. for assistance and recognition. In the last several years, however, cross-border indigenous networks have strengthened significantly. "A lot of it came out around the 500th anniversary of Columbus's arrival," says Giovanni Panza, who works with the Yaqui in Arizona. While mainstream media and local governments prepared for the "celebration," Native activists across the continent began a dialogue out of which many current cross-border contacts grew. The debate surrounding NAFTA and the 1994 uprising in Chiapas further compelled indigenous communities to organize around common interests.

Of course, there remain significant obstacles to cross-border indigenous organizing, not the least of which is
internal discrimination based on nationality, offering sad testimony to the border’s impact on binational tribes. Additionally, the diffusion of members in Mexico, many of whom have seasonal residences without telephones, complicates communication efforts. In spite of such obstacles, indigenous communities on both sides of the border demonstrate a growing commitment to work together on such key issues as Native sovereignty, economic development, land claims, and environmental and cultural preservation of indigenous heritage.

**Legal Rights and Sovereignty**

The often-illusory nature of Indian sovereignty is perhaps most evident with tribes split by the U.S.-Mexico border. As Native activists often point out, the border is an artificial demarcation drawn by foreign governments without consultation with or concern for the indigenous communities affected. For example, in 1994 the Arizona Cocopah were prevented from using federal tribal appropriations to fund a drug and alcohol abuse prevention program for Cocopah in Mexico. "As we see it, we are one tribe, and we want to service all our people. But the U.S. government does not see it that way," says Will Ortega, a Cocopah Tribal Council member. Native sovereignty is often invoked in reference to land claims. In 1989, the Tohono O’odham Nation mounted a sovereignty campaign, the goal of which was to achieve the status of a separate and autonomous nation vis-à-vis the U.S. and Mexican governments, in order to directly negotiate its own interests rather than be required to pursue land claims through the domestic courts of each country.

The issue of intratribal recognition is also of concern to borderlands indigenous communities. The Hia-Ced O’odhams’ struggle for recognition finally won their enrollment into the Tohono O’odham Nation in 1984. The traditional O’odham leaders now plan to push for incorporation of the nine O’odham villages in Mexico into the administrative structure of the Tohono O’odham Nation as a twelfth district.

"Now we have recognition, but not a voice within the Nation. [Incorporation] would help solve some of the problems created by the border," said O’odham leader Joseph Garcia.

This effort is but one of the ways in which border-crossed tribes are pursuing a central issue, dual enrollment. Dual enrollment would allow those members of binational tribes who live in Mexico to gain access to social services provided in the United States for Native peoples. These efforts draw upon the precedent set by the Kickapoo people of Texas, Oklahoma, and Coahuila, who gained U.S. Congressional approval of the "Texas Band Kickapoo Act" in 1983. The Act gave Kickapoo in Mexico a seven-year enrollment period to become U.S. citizens.

As Native activists often point out, the border is an artificial demarcation drawn by foreign governments without consultation with or concern for the Indigenous communities affected.

The Yaqui and Cocopah are also examining prospects for the dual enrollment of their Mexican counterparts. The most immediate benefits of dual enrollment would be expanded access to health care, education, and other tribal benefits. But dual enrollment is also seen as an important first step on the road to autonomous self-government for borderlands tribes.

**Economic Development**

Native peoples split by the border are not simply waiting for the go-ahead from the U.S. and Mexican governments in order to forge cooperative cross-border relationships. For example, Cocopah spiritual leaders in Somerton have organized several spiritual runs to raise money for Cocopah schools in Mexico. Pascua Yaqui from Arizona have recently begun to conduct "solidarity tours" to villages in Sonora, delivering toys, clothes, and medicine to poorer communities along the Río Yaqui. And Kickapoo from Oklahoma and Texas travel to Mexico each fall, their vehicles loaded with cattails, the material used to build traditional Kickapoo homes. Construction and repair of houses in Hacienda El Nacimiento is an annual community event for the Kickapoo people.

Tribal governments too are forging ahead with cross-border initiatives. Pascua Yaqui leaders recently set up the infrastructure for a "fair trade alliance" that can provide income and jobs to Yaquis on both sides of the border. Members of the Río Yaqui shrimping cooperative have been harvesting the waters of the Bahía de Lobos for decades, but the vagaries of the international market often kept financial successes modest. Last March, the Pascua Yaqui tribal council and the Río Yaqui shrimpers established a partnership whereby the Pascua Yaqui tribe helps provide the project’s financing, as well as importing and distributing the shrimp in the United States. Yaqui leaders hope the project will employ Pascua Yaqui members while providing higher returns to Sonoran shrimpers.

**Land Rights and Environmental Issues**

Other cross-border initiatives target the issue of access to land. In the United States, cash-strapped Native nations often lease reservations to non-Indians for mining or agricultural purposes. In Mexico, indigenous communities have steadily lost land to encroachment by mestizo ranchers and farmers. With the changes to Article 27 of the Mexican
Mechanisms for protecting ecologically sensitive areas have proven to be barriers to Indigenous access to traditional homelands, whether in Mexico or the United States. Federal efforts to shield such zones from environmental degradation have effectively denied Native peoples the rights to collect traditional food and medicinal and ceremonial plants.

In the past, biosphere reserves and other mechanisms for protecting ecologically sensitive areas have proven to be barriers to Indigenous access to traditional homelands, whether in Mexico or the United States. Federal efforts to shield such zones from environmental degradation have also effectively denied Native peoples the rights to collect traditional food and medicinal and ceremonial plants. But recent years have seen an increase in Indigenous participation in the planning and management of federally protected Native homelands. The International Sonoran Desert Alliance, a nongovernmental, binational effort to protect the western Sonoran Desert and Upper Gulf of the California bioregion, is credited by many for encouraging awareness of Indigenous issues in biosphere management, as well as playing an important role in the larger process of cross-border Indigenous dialogue. According to Shelby Tisdale, an anthropologist who works with the Cocopah, "The ISDA has been instrumental in bringing Native peoples together across the border... to speak to common issues."

Much Indigenous land in border states, however, is not protected as biosphere set-asides. And the lack of political leverage held by Indigenous peoples, especially in Mexico, has meant that Native lands are inordinately targeted for exploitation and contamination. In the arid lands of the southwestern United States and northern Mexico, the development boom of previous decades depended upon restricting Indigenous rights to the region’s scarce water resources. Earlier this century, Mexican farmers diverted much of the Yaqui River away from Yaqui pueblos. Today, the water that does make its way to the pueblos carries agricultural pesticides and other toxic residues.

The situation is much the same for the Cocopah along the Colorado River. Cocopah in Mexico have struggled to defend their rights to fish the river, but the fish they catch are almost poisonous. In Arizona, the river’s contaminated water is the main source of irrigation for Cocopah farmland. Both the Cocopah and the Yaqui are developing plans to combat environmental degradation of their land and water resources. Yaqui members who attended October’s Second Border Meeting of Indigenous Peoples returned home with an objective to lobby their tribal government to provide environmental clean-up assistance to the farmers of Rio Yaqui, while Cocopah efforts would focus more on state and federal government lobbying. The problems faced by Native peoples of the borderlands are daunting, but Indigenous leaders and community members express an ongoing commitment to developing cross-border unity as an essential element in the struggles for economic and political self-determination. As O’odham leader Joseph Garcia comments: "We consider ourselves one blood, one nation. We want to act as one group to better settle our problems. It may take time, but anything that’s worthwhile takes time."

Reprinted from BorderLines (February 1996).
Are NAFTA’s Environmental Mechanisms Serving Their Purpose?

By Cesar Luna

Two years after the North American Free Trade Agreement (NAFTA) took effect, people have begun studying whether the different mechanisms designed to improve the current environmental conditions are actually serving their original purpose. To many, these institutions remain confusing and obscure. To others, they emblazon an optimistic view of environmental protection going hand in hand with global economic growth and private entrepreneurship. And to some, they represent unfulfilled promises of environmental protection.

**BECC/NADBank**

The Border Environmental Cooperation Commission (BECC) was created by Mexico and the United States to coordinate efforts to evaluate infrastructure projects in the border region, such as water treatment facilities, and to properly certify them for loan assistance. The North American Development Bank, or NADBank, BECC’s complementary institution, is responsible for providing loans for projects certified by BECC. The original purpose of these entities is to "preserve, protect and enhance the environment of the border region in order to advance the well-being of the people of the U.S. and Mexico." (Article 1, §1)

As financial institutions, BECC and NADBank have severe limitations. Most importantly, they form a lending mechanism to promote only those infrastructure projects that can pay for themselves. Under this mechanism, only projects that have the ability to pay back the loans by NADBank will be able to obtain this financial assistance.

The vision of these two binational institutions is towards the future and not the present. Even though water treatment plants and other infrastructure projects are badly needed along the border, the BECC/NADBank fail to recognize and to address existing environmental and health problems along the border. The practical effect is that border communities in both countries who have been severely affected by industrial pollution and improper disposal of solid and other urban waste for decades cannot get access to BECC/NADBank funds to clean up their communities since they cannot pay the loans back.

Another inherent problem with BECC/NADBank is that they open the opportunity for financing private infrastructure projects that may not necessarily benefit border residents, as was originally intended in the binational agreements. Private investors are better able to submit projects for NADBank funding than communities and grassroots groups who may not have the technical ability to develop and promote a desired project. As a result, BECC may ultimately entertain and possibly certify the financing of private infrastructure projects that may only have an indirect benefit to the local border community.

Lastly, although public participation and access to BECC/NADBank decision-making activities have improved (5 public meetings of the BECC Board of Directors and 1 meeting of the NADBank Board during 1995), these institutions continue to operate with a certain level of secrecy. Due to the monitoring efforts of grassroots groups along the border, BECC and NADBank are now beginning to change their original "behind closed doors" activities. Presently, these two institutions remain unable to fully reach and integrate into their decisions the many border communities and community groups, primarily Mexican, that are likely to be affected by those decisions.

**NAAEC I CEC**

Under the North American Agreement on Environmental Cooperation (NAAEC), the U.S., Mexico and Canada created a framework for mutual cooperation on environmental matters and to ensure effective enforcement of their respective environmental laws. The Commission for Environmental Cooperation (CEC) is responsible for overseeing the NAAEC. The principal functions of the CEC include ensuring environmental protection, promoting public discussion of environmental concerns, securing effective enforcement, and providing for transparency and access to enforcement processes.

One of the most important aspects of the CEC is that it allows citizens or organizations of the three NAFTA countries to submit complaints to the CEC if one of the countries is not properly enforcing its own environmental laws. If the CEC receives a complaint that either Mexico, the U.S. or Canada has failed to enforce one of its environmental laws, then the Commission must investigate the allegations and prepare a report or a “factual record” of the particular complaint.

So far, only one public petition has reached the point where the CEC has formally asked the government of Mexico to respond to allegations that it did not properly enforce its environmental laws by allowing the construction of a pier in Cozumel, Mexico. However, CEC’s main function is only to investigate environmental problems and prepare reports; even if the CEC finds that Mexico did not properly enforce its environmental laws, the Commission does not have the authority to sanction Mexico.

**IBEP/Border XXI**

In 1992, Mexico and the U.S. released the Integrated Border Environmental Plan for the Mexican-U.S. Border Area, First Stage, 1992-1994 (IBEP). It attempted to identify
priority environmental issues in the border areas and projects intended to address those issues. In 1995, the second stage to the IBEP started under the new name of Border XXI. This second stage, now in progress, attempts to erase the severe criticisms by communities and grassroots organizations of the first stage IBEP, where the planning was done without the consultation and participation of the public. Under Border XXI, Mexico and the U.S. are trying to create a binational environmental plan of the border that includes public participation and input.

However, Border XXI’s credibility for running a transparent program has already been called into question. After the first binational public meeting, it was discovered that certain organizers of the program had accepted the sponsorship from companies involved in the hazardous waste management industry. It was this type of favoritism that the public was hoping to avoid when they were invited to participate in the Border XXI planning process. It is still uncertain whether Border XXI will be able to gain its credibility, and if it does, whether it will be something more substantive than the first stage IBEP which only got as far as a report and nothing else.

Conclusion

NAFTA’s environmental mechanisms require many improvements in order to be significantly effective. Unless and until these mechanisms achieve the necessary public credibility and transparency, they will continue to be of little or no effect. It is up to grassroots groups, communities and activists to continue to challenge these institutions and programs to make sure they fulfill their purpose.

Cesar Luna is director of the Border Environmental Justice Project with the Environmental Health Coalition in San Diego, CA, and on the Coordinating Council of the Southwest Network for Environmental and Economic Justice.

---

**NAFTA’s Environmental Side Agreement: Soothing Rhetoric from the White House**

On May 13, 1994, President Clinton issued Executive Order 12915 which established policy guidelines for federal implementation of the North American Agreement on Environmental Cooperation (the "Environmental Agreement"). With an emphasis on transparency and public participation, the Order focuses on advancing sustainable development, pollution prevention, environmental justice, ecosystem protection, and biodiversity preservation, in Mexico, the U.S., and Canada. President Clinton contends that effective implementation of the Environmental Agreement is essential to the realization of the environmental objectives of NAFTA and to promote cooperation on trade and environmental issues. Here is how it’s supposed to work.

**Policy Priorities of the Council of the Commission for Environmental Cooperation**

The Environmental Agreement is implemented through the Council of the Commission for Environmental Cooperation ("Council"), which consists of representatives from Mexico, U.S., and Canada. The Council’s policy priorities include reaching international agreements and recommendations on:

1. The environmental impact of goods throughout their life cycle (from raw materials to disposal), including the environmental effects of processes and production methods and the internalization of environmental costs;
2. Pollution prevention techniques and strategies, transboundary and border environmental issues, the conservation and protection of wild flora and fauna (including endangered species), their habitats and specially protected natural areas, and environmental emergency preparedness and response activities;
3. Public access to environmental information held by public authorities of each party to the Environmental Agreement, including information on hazardous materials and activities and the opportunity to participate in decision-making processes related to such public access; and
4. Environmental matters as they relate to sustainable development.

**Environmental Effects of NAFTA**

As the U.S. representative on the Council, the Administrator of the U.S. EPA is required to work actively with the Council to review the environmental effects of NAFTA.

**Public Participation and Transparency**

Having established public participation and transparency as a policy goal of the U.S., this Executive Order requires the U.S. ("to the greatest extent practicable") to support public disclosure of all nonconfidential and nonproprietary elements of reports, factual records, decisions, recommendations, and other information gathered or prepared by the Commission for Environmental Cooperation ("Commission"). The U.S. will also endeavor to have the Commission state in writing why any requested documents can not be produced to the public.

**Arbitration and Public Participation**

The Environmental Agreement establishes an arbitration panel. The U.S. is to provide public notice of the opportunity to apply for a position on this panel, and "seeks to ensure" public access to arbitration hearings. The U.S. will also attempt to provide for the preparation of public versions of written submissions and arbitral reports not otherwise available to the public.

Finally, the EPA Administrator is required to develop procedures to inform the public of arbitral proceedings and Commission activities. This includes providing the public with the opportunity to comment on arbitral proceedings involving the United States.

— MK Scanlan
New Ways of Organizing for Women Workers in the Maquilas

by Carmen Valadez & Jaime Cota

To the Zapatistas, who led our first rebellion against NAFTA.

In Mexico, the North American Free Trade Agreement (NAFTA), which took effect on January 1, 1994, has resulted in worsening economic and social conditions and increasing violations of human rights for working people, peasants, aboriginal communities and others. NAFTA is not a development model for our country. There has been no development, but rather a dismantling of Mexico's productive capacity, preceded by privatization of the main national industries: steel, mining, telecommunications, airlines, railroads and recently the petrochemical industry.

Along with selling off the country, the Mexican government has increasingly resorted to repression in order to weakening trade unions, particularly those more democratic. The results have been devastating for economic and labor freedom.

Prior to NAFTA, Mexico had an important domestic manufacturing industry, of which the maquiladora sector represented only 11.7% in 1980. By 1990, this had increased to 46.2%. In 1995, the second year of NAFTA, the maquila sectors represented 73.1% of manufacturing. In the same year, the domestic textile industry, for example, had practically disappeared.

Unemployment is another area where the impacts of NAFTA are visible. Prior to NAFTA, 1.8 million Mexicans were reported unemployed; in September 1995 — again two years into NAFTA — the figure had increased to 3.5 million.

In 1993, 8.5% of the labor force earned less than the minimum salary, rising to 11.9% in 1995. According to a study by the Mexican Autonomous University (or UNAM, its Spanish acronym), the minimum salary would need to rise 350% to provide for basic needs.

Work place accidents in 1995 were up 20% over the previous year. The increased risk in the workplace and the worsening of working conditions is resulting in more serious injuries. According to the Mexican Society of Labor Health (Sociedad Mexicana de Medicina del Trabajo), there are 400,000 factories in the country and only 570 physicians who specialize in worker health and safety.

The figures quoted above provide a general idea of the impact of NAFTA on labor health. What follows is an analysis of the maquila industry and an outline of some of the workers' responses.

Maquilas and NAFTA

The first maquiladoras were set up in the mid 1960s and located along the Mexican border with U.S. These "free zones" and the conditions that go with them have extended to all areas of the country and to Central America and the Caribbean. NAFTA represents nothing but the "maquilization" of the whole region.

The maquila industry invests in our countries looking for high levels of productivity. This means a faster working pace, longer hours of work, lower salaries, reduction in health care and compensation costs, as well as a weak or non-existent enforcement of labor and environmental laws. Thus the multinational companies can obtain huge profits that return largely intact to their countries of origin.

This model of economics has resulted in the filthiest production practices and the most polluting industries going to Mexico. Many of the chemicals and toxics used in the maquilas have been barred in their countries of origin.
We call this the neo-liberal model of economics, which, among many other things, has resulted in:

1. Over-exploitation directed to and designed for mainly young women, who represent about 70% of a labor force estimated at 776,000.

2. The filthiest production practices, with a clear racist intent of bringing to the southern countries the most polluting industries and production processes. Many of the chemicals and toxics used have been barried in their countries of origin.

3. The systematic violation of labor and gender rights of maquila workers.

4. An awakening of consciousness and the search for new forms of labor and union organization from a gender perspective. Oftentimes these combine different struggles, for instance communities and environment.

5. New forms of local, national and international solidarity amongst workers and feminist, environmental, anti-racist and internationalist movements.

In the 30 years of the maquila history in Mexico, several struggles have been carried out by maquila workers as a response to oppressive working and living conditions. As working conditions in the factories have worsened, the struggle of the workers has increased. Women and men workers continue to fight only against low salaries, mistreatment and sexual harassment, and have added an important new component: the struggle for the health and survival of the work places and the communities surrounding the maquilas.

In the maquilas, there is a serious problem of health threats in the workplace in general and particularly of threats to the reproductive health of women workers. The majority of the women workers are between 16 and 24 years of age and are being exposed daily to chemicals and solvents in their workplaces without health and safety protection.

The average weekly salary is U.S. $35 to $45. (Prior to the 1994 devaluation of the Mexican currency it was U.S. $70.) Rent for a house with public services such as running water and electricity is on average $200 per month. Thus, women are forced to live in neighborhoods (colonias) without basic services such as electricity, water and sewers. These neighborhoods are also often affected by the release of dangerous wastes from the maquiladoras into the streets and the drainage systems.

The conditions in and outside the maquilas, as well as the malnutrition caused by low salaries, produce skin illnesses, cancer, irregularities in menstruation, abortions, tumors, intoxication and birth of undernourished or disabled babies.

This situation, along with the clear violations of the workers rights as human beings, workers and women, results in the search for labor or union organizations to defend their lives and rights. The workers began to organize in spite of the poor economic means of the movement and of the repression they have to endure when demanding their rights, such as being fired or harassed and punishment in the factory.

Obstacles to Labor Organizing
In the struggle for their rights, women workers confront various enemies: the foreign boss, the Mexican managers, and the corrupt, "phantom" unions. These unions not only do not fight for the workers' rights, but the women do not even know them, have never seen their leaders, and when a
conflict arises in a factory, management informs the workers that "their" unions have accepted these or those conditions.

One example of a "phantom" union is the Confederacion Regional de Obreros Mexicanos (CROM), or Regional Confederation of Mexican Workers. In Baja California, the CROM sells labor protection directly to the companies. The CROM makes deals about working conditions and salaries with management without the workers' knowledge. In return it receives union fees deducted from the payroll directly from management. Obviously, the government and companies prefer this model of union organization.

The CROM uses similar tactics to the Confederacion de Trabajadores Mexicanos (CTM, or Confederation of Mexican Workers) which also claims to represent maquila workers. In Tamaulipas the CTM was forced by the movement of women workers of the maquilas to subscribe to Internal Rules of Work providing for the minimum salary established by the Federal Labor Law, even though it is not a firm guarantee that these minimums are met.

Another enemy is the government: the Juntas Locales de Conciliacion y Arbitraje (JLCA), or Local Committees for Conciliation and Arbitration, stand in the way of and prevent negotiations of labor conflicts in cases of collective bargaining and registration of unions. These Committees also often inform management of workers' demands presented to them. The committees should be eliminated to allow for direct collective bargaining between workers and management. As it now stands, the JLCA clearly serve the foreign boss rather than the workers.

The federal and state bodies which should enforce health and safety regulations and also prevent environmental pollution, only visit management offices, never the work place.

Even with these limitations, women workers have conducted important struggles in various instances in the labor movement of the maquilas. The first one was in the 1970s, involving the struggle of the women workers at the Mattel plant in Mexicali, Acapulco Fashions. This struggle coincided with the labor unrest of electricians in one of the most daring struggles for labor democracy during the 1970s. In these first struggles, workers had to face the departure of the maquilas, which chose to move to other countries where there could be guaranteed the ability of imposing their conditions and where there would be no danger of labor organization.

Some movements had important successes, such as at Solitron in Tijuana in 1978-79. The struggle began as a result of the attempted rape of one woman worker by the company's physician. An independent union, SOLIDEV, was formed, and achieved one of the best collective agreements in the maquilas. But when the maquila moved the union disappeared.

As soon as workers in the maquilas began organizing and achieving favorable results, the transnational companies would move their capital to other countries. The workers' movement thus waned and in the 1980s, only the movement in Tamaulipas, primarily made up of workers at Zenith in Matamoros, was alive.

Today, there is a broader movement extending along the northern border of Mexico. It ranges from small groups of workers to struggles for independent unions. It is still a small, young and relatively silent labor movement.

Organizing in the Maquilas
Organizing in the maquila begins in the factory along production lines and in departments. It must be organized clandestinely. How long the organization can be maintained often depends on solidarity. Although maquila workers' movements start for various reasons, such as low salaries, mistreatment, sexual harassment and recently labor and reproductive health, most of them result in the search for independent union organization, outside the corrupt-phantom central unions.

Given the conditions inside and outside the maquila, and the fact that the majority of maquila workers are women, the forms of organization are just beginning to be defined by the women themselves. We speak of a "model" of organization, since they are being built through trial and error.

The meaning of these new forms of organization in the maquila is that more and more women workers are conscious not only that their labor rights are being violated, but also their rights as women. Women are finding strength by developing their identity as women and as workers through the realization that they are the main generators of wealth.
— wealth which is not being reinvested in the country.

Only the women working the maquila, who are inside the factories and suffer the working conditions, can produce a change. But this movement cannot advance without the unity and solidarity of the various movements mentioned here.

The labor movement being built by women maquila workers, and the links being developed, provide a new dimension for the union movement. The labor movement of today must contemplate a broader spectrum of demands and forms of organization that include labor, union, gender, anti-racist, and environmental organizations. In the case of the environmental movement, it is important that it emphasizes the human aspect of the environment. Maquilas are an environmentally racist form of production, affecting first the women workers on the production line and then the living environment of the community.

It is of utmost importance that the democratic union movement of Mexico see organizing in the maquilas as a priority, something that has not yet been done. There is also an important role for other labor or solidarity movements, both those in the country from where the transnationals come (such as the U.S.) and the southern countries where the maquilas are being located.

The effects of NAFTA, such as the worsening of living conditions for the working class and women in the U.S. and Canada, have resulted in the movements of these countries approaching Mexico. There are important links being developed between various movements, including union, labor and women organizations in Canada and the U.S. Contacts are being made with similar movements in Europe.

In Mexico, during the Fourth Workshop of Women Workers of the Maquila, held in Tijuana on June 23-25, 1995, a Network of Women Maquila Workers with International Links was formalized. This is one of the first steps in a joint reflection and struggle, acting locally and thinking globally.

The experience in the development of the Network is an example of the combination of old and new forms of organization of the working class, of the community, feminist, internationalist and anti-racist movements.

The Network of Women Maquila Workers with International Links was born from a series of workshops beginning in 1993, which were held in different cities along Mexico’s northern border. These workshops were opportunities for meeting and training, and also for systematizing and building the organizational experience. The presence of women workers and women’s non-governmental organizations involved in different organizational processes in Mexico, as well as the internationalist presence of women from Central America, United States and Canada, gave birth to this grassroots network based firmly in the region but with an international vision and contacts.

The women’s support groups — which combine direct labor advice, training in human rights, and labor, reproductive and sexual health services, educational programs against sexual harassment and domestic violence — reinforce and promote resistance and organizing being developed by women workers in the maquila.

The local, regional, national and international solidarity networks help to raise awareness that conditions suffered by both women and men workers is not restricted to a single country of the North or the South. We all, women and men, are being subject to intents of submission, of bringing us back to slavery. We are being left only with our chains, which we must break.

Carmen Valadez is on the Coordinating Committee of the Mexico Network of Women Maquila Workers and on the Coordinating Council of the Southwest Network for Environmental and Economic Justice. Jaime Cota is with the Workers Information Centre.
The Circle of Poison on the Border: Pesticides and Indigenous Workers in North Baja California

by Rufino Dominguez Santos

San Quintin is one of the valleys in the Mexican state of North Baja California — just south of California — where many crops are grown. Almost every type of vegetable is grown there, mostly tomatoes, and in the last ten years, increasingly vast expansions of strawberry growing. The work in the area is attractive to many of the indigenous people in the interior of Mexico, especially those from the state of Oaxaca, who began to emigrate after the Mexican Revolution.

Since the late 1980s and early 1990s, in every zafra, between 40,000 and 60,000 Oaxaqueños arrive with entire families to work in the fields harvesting crops for low wages. They live in small, aluminum shacks provided by their employer — shacks where no less than eight people must dwell in each room measuring six by four meters. They suffer from racism and discrimination by non-indigenous people and, most of all, from growers, who do not see them as "humans" in their daily routines. At the age of six, children already begin to work in the fields to help their parents because the wages are not enough on which to survive. There is a lack of electricity and safe drinking water, and there is no attention to health care.

Perhaps the most dramatic problem plaguing these workers is exposure to pesticides. There is no basic knowledge of how dangerous it is to work with chemicals in the field. There are neither official nor independent statistics that would provide information about the pesticide-related deaths, although many individuals are known to have died.

Pesticides that are banned in the United States are used in the agricultural fields here. Growers in Mexico use them freely. In many cases, the workers use containers which once held chemicals or pesticides for cooking and bathing. The ones who work with these chemicals directly also do not know enough to protect themselves, and their employers do not provide them with protective equipment. Workers often wear the same clothes several days in a row. They return home in these contaminated clothes and hug their children without knowing that children are even more susceptible to these chemicals.

Another problem is that there is no control over when workers can re-enter a field that has been sprayed with pesticides. In many cases, workers enter a field soon after it has been sprayed. In other cases, workers are still in the field when it is sprayed by crop dusters, exposing workers to the long and short term dangers of pesticides. Mexican law is not very strict in this regard. It gives more attention to the crops than to the workers, and creates a great risk to consumers of developing cancer or other related diseases. We should not forget that many of these "primary" products, as they are called, are sent to the United States, resulting in the importation of some fruits and vegetables sprayed with pesticides prohibited in U.S. markets. It is evident that there are no borders when, in pursuit of profit, we mistreat the earth, and risk our own health. For this reason, there should be adequate education for producers, workers, and consumers, not only in one country like the US or on a binational level, but on a broad international level. What do we have to gain if we prohibit one type of pesticide in the US, while it is still freely used on crops in most other countries?

If the situation is bad in Baja California, the problem is still worse futher south. In flea markets (where "secondary" products are sold), we can find containers that had once contained certain chemicals or pesticides, but are sold to the public, often to the most poor, to be used in one form or another in the kitchen. This is a reality that extends into the most marginalized areas of Mexico. Aside from the fact that pesticides kill insects and diseases in plants, they have also killed people, contaminated the water, air, and earth, and the foods we eat day in and day out. We are fooled by the size and color of the products, that in the end contain more pesticides than the vitamins necessary to human beings.

Rufino Dominguez Santos is a community worker with the Indigenous Farmworker Project of California Rural Legal Assistance, based in Modesto, CA.
Good Government Department

Resolution No. R:95-67
A Resolution of the City Council of the City of Del Rio, Texas
Opposing the Proposed Nuclear Waste Dump to be Located in Sierra Blanca, Hudspeth County, Texas

WHEREAS, the State of Texas has chosen Sierra Blanca, Hudspeth County for the site of a low-level nuclear waste dump which would receive wastes from Texas, Maine, and Vermont; and
WHEREAS, the wastes will be toxic for thousands of years; and
WHEREAS, a radioactive release from the project could threaten the residents of West Texas; and
WHEREAS, West Texas highways could be used for the transportation of radioactive waste to Sierra Blanca thus putting many residents along these routes at risk from a transportation accident; and
WHEREAS, precious underground water supplies for the region could be contaminated by this facility; and
WHEREAS, the proposed site is only 16 miles from the Rio Grande, thus endangering Mexican and U.S. residents who live downstream; and
WHEREAS, Sierra Blanca is a poor, 70% Hispanic community and studies have shown that toxic waste dumps are often sited in poor minority communities; and
WHEREAS, four of the six existing low-level nuclear waste dumps have leaked radiation into the surrounding environment; and
WHEREAS, safer alternatives exist for the storage of nuclear waste such as above ground monitored retrievable storage.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEL RIO, TEXAS, THAT:
It hereby opposes a nuclear waste dump in Sierra Blanca, Hudspeth County, Texas.

Passed and approved, on this 27th day of June, 1993

[signed]
Alfredo Gutierrez, Jr., M.D.
Mayor

Environmental Justice Index Mapping Project

The U.S. Environmental Protection Agency (EPA), Region II is using its geographic information system (GIS) and 1990 Census information to factor concerns about environmental justice into environmental decision making. Based on criteria proposed by the Region’s Environmental Justice Work Group, GIS analysts modeled Census Bureau demographic data on minority composition, population density and income to identify areas of potential environmental justice concern in Region II; and provided access to the data by Region II staff and managers through the Regional GIS User Interface.

To identify areas of potential environmental justice concern the project used the Region VI Human Health Risk Index (HRI) GIS System that was designed to compare potential exposures and toxicity from pollution sources. The HRI System evaluates the following five attributes: population density, ethnicity, income, pollution source data and ambient concentration exposure data. The GIS component mathematically ranks the Census Block Groups as to their potential for environmental justice concern based on the HRI evaluation.

Once specific areas of high potential environmental justice concern are identified, the mapped indices can be combined and displayed with other information (e.g., risk data or facility location information) to further define high priority communities. This information can then be used to target and prioritize compliance/enforcement, pollution prevention, education and outreach activities.

During Phase I of the project, EPA developed pilot environmental justice data layers for the State of New Jersey using three of the five HRI factors: population density, ethnicity, and income factors (e.g., per capita and median household income data from the 1990 Census) at the block group level. The New Jersey environmental justice coverages were completed and incorporated as common data layers in the GIS Regional Interface. The project was then able to map the results of the environmental ranking based on per capita income for New Jersey. The GIS was used to calculate the rankings as follows:

<table>
<thead>
<tr>
<th>Population Density</th>
<th>X</th>
<th>Minority Score</th>
<th>X</th>
<th>Per Capita Income Score</th>
</tr>
</thead>
</table>

The larger the HRI Justice Index the higher the potential for environmental justice concern.

Similar coverages have been completed for the State of New York, and are being developed for the Commonwealth of Puerto Rico and the U.S. Virgin Islands.
Resources

New Health and Safety Training Kits Available

The Labor Occupational Health Program at the University of California at Berkeley and the Southwest Network for Environmental and Economic Justice have teamed up to produce a new health and safety training guidebook. The new guidebook consists of two kits for trainers to teach basic information on occupational and environmental health and safety. Each kit includes two to three lesson plans, with step by step instructions on how to lead each activity; training tools; and illustrated fact sheets to be reproduced as handouts, including sheets on "Identifying Job Hazards," "Controlling Hazards on the Job," and "Workplace Chemicals and Your Health." Particularly impressive is that the kits are available in English, Spanish, Korean and Chinese. Individual kits are $20; all four languages is $75 (make checks payable to "U.C. Regents"). Order from the Labor Occupational Health Program, 25 15 Channing Way, Berkeley, CA 94720; 510/642-5507.

Southwest Network and ELI Publish New Guide to Working with Lawyers

Working with Lawyers: A Guide for Community Residents and Environmental Justice Activists has just been published by the Southwest Network for Environmental and Economic Justice and the Environmental Law Institute. Working with Lawyers is written for environmental justice activists who are considering hiring a lawyer to help them deal with an environmental problem. The guide describes important questions and issues to think about before and after hiring a lawyer. It aims to help people develop a good working relationship with their lawyer — a relationship in which the client has the right to make decisions and participate actively in the legal case. The guide is available in English or Spanish for $10, plus $3 postage and handling, from Neri Holguin, Southwest Network, PO Box 7399, Albuquerque, NM 87194. Discount rates are available for bulk orders.

Two Transportation Resources from EJRC

Environmental Justice and Transportation: Building Model Partnerships Conference Proceedings (1996), 77 pages, includes mailing list. The Atlanta conference was attended by some 250 activists, academics, planners, layers, and government officials. The report addresses environmental justice, civil rights, impact assessment, proposed DOT Order, health and community impacts, public involvement, decision making, research, waste transport, empowerment and enterprise zones, training needs, rural areas, and Native American and indigenous transportation issues. For more information contact: Environmental Justice Resource Center, Clark Atlanta University, 223 J.P. Brawley Drive, Atlanta, GA 30314, (404) 880-6911, Fax: (404) 880-6909, e-mail: ejrc@cau.edu.

Just Transportation (1996). Forty-five-minute video includes highlights of national environmental justice transportation conference, civil rights, and transportation case studies in Atlanta, Chicago, Los Angeles, San Francisco, West Harlem (New York), and Washington, DC. For more information contact: Environmental Justice Resources Center, Clark Atlanta University, 223 J.P. Brawley Drive, Atlanta, GA 30314, (404) 880-6911, Fax: (404) 880-6909, e-mail: ejrc@cau.edu.

Legal Directory Now Available

The American Bar Association announces the availability of the Directory of Pro Bono Legal Services Providers for Environmental Justice. Developed over the course of two years of research and outreach, this unique resource provides information on over 180 legal services providers in 38 states, the District of Columbia and Puerto Rico. Listed providers have agreed to accept appropriate environmental justice cases at no charge (pro bono). Inclusion in the Directory does not imply ABA endorsement.

The Directory was developed by the ABA's Standing Committee on Environmental Law and supported through the Committee, the ABA Section of Litigation, the ABA Section of Natural Resources, Energy & Environmental Law (SONREEL) and the San Francisco-based firm of Morrison and Foerster in cooperation with the National Conference of Black Lawyers and the Center on Race, Poverty & the Environment at the California Rural Legal Assistance Foundation. The ABA plans to maintain and update this national database and to issue updates of listings as needed.

Back Issues of RPE Available

Back issues of the Race, Poverty & The Environment journal are available for $7.00 each from the Urban Habitat Program, Box 29908, Presidio Station, San Francisco, CA 94129. Recent issues include: Multicultural Environmental Education, Transportation, Environmental Justice and the Law, and Nuclear Technologies and Communities of Color.
Contacts on the Border

California
Environmental Health Coalition
1717 Kettner Boulevard, Suite 100
San Diego, CA 92101
6191235-0281 • fax 6191232-3670
Contact: Cesar Luna

Southwest Network for Environmental and Economic Justice — West Coast office
1717 Kettner Boulevard, Suite 100
San Diego, CA 92101
6191239-8030 • fax 6191239-8505
Contact: Jose Bravo

Baja California
Comite Ciudadano Pro-Restauracion del Cañon del Padre A.C.
Fco. Villa #2260, Col. Chilpancingo
Tijuana, BC 225530 Mexico
011-52166-23-97-16
Contact: Maurilio Sanchez Pachuca

Sonora
Proyectos Comrades de Nogales Sonora
c/o 252 Grand Ave Box 7
Nogales, AZ 85621
5201287-6317
Contact: Teresa Leal

Arizona
Tonatierra
PO Box 24009, Phoenix, AZ 85074
6021254-5230 • fax 6021252-6094
e-mail: tonatierra@igc.org
Contact: Salvador Renteria/Tupac Enrique

Tucsonia for a Clean Environment
7051 W. Bopp Road, Tucson, AZ 85746
5201883-8424
Contact: Rose Augustine

Confederacion de Pueblos Indios (Tohono O’odham)
PO Box 10094, Casa Grande, AZ 85230
5201836-2932
Contact: Arturo Garcia

Arizona Border Rights Project
PO Box 3007, Tucson, AZ 85702
520/770-1373 • fax 5201623-7255
Contact: Jose Matus

Chihuahua
Centro Independiente de Derecho Humanos de Chihuahua
Ecuador 526 Sur, Col. El Barreal
Cd. Juarez, Chihuahua 3200, Mexico
011-52116-15-40-70
Contact: Judith Galarza Campos

COSYDDHAC
Calle 24 #3007
Chihuahua, Chihuahua, Mexico
011-52114-15-40-79
Contact: Martin Solis Bustamante

Destacamento del Pueblo
Francisco Marquez #912
Col. Melchor O’Campo
Cd. Juarez, Chihuahua, Mexico
011-52114-15-04-86
Contact: Maria Teresa Guerrero

New Mexico
Southwest Network for Environmental and Economic Justice Regional Office
PO Box 739, Albuquerque, NM 87194
5051242-0416 • fax 505-242-5609
e-mail: snew@igc.org
Contact: Richard Moore

Southwest Organizing Project
211 10th Street, SW
Albuquerque, NM 87102
5051247-8832 • fax 5051247-9972
Contact: Jeanie Gauna/Michael Guerrero

Concerned Citizens of Sunland Park
PO Box 753, Sunland Park, NM 88063
5051589-2582
Contact: Isabel Santos/Daniel Fuentes

Coahuila
Centro Obrero de Cd. Acuña
Cd. Acuña, Coahuila, Mexico
c/o Beti Robles 011-5286-35-47-97
Contact: Angelica Morales/Martin Cordero

SEPEPAC/Frontera Norte
Privado Flores Magón #48
Col. Independencia
Cd. Frontera, Coahuila, Mexico
011-5286 35-47-97
Contact: Elizabeth Robles

Sindicato Autonomo de Trabajadores de Camzo Manufacturing Co.
Parque Industrial #1, Ave. Industrial
Piedra Negra, Coahuila
Contact: Juanita Soto

Texas
Southwest Workers’ Union
PO Box 830706, San Antonio, TX 78283
210/299-2666 • fax 210/299-4009
e-mail: swwa@igc.org
Contact: Chavez Lopez/Rubén Solis

International Environmental Alliance of the Bravo
PO Box 3367, El Paso, TX 79923
Contact: Richard Boren, 915/757-8003

Texas Rural Legal Aid
PO Box 964, Del Rio, TX 78840
Contact: Alfa Hernandez

Union de Trabajadores Agricolas Fronterizos
514 S. Kansas #1, El Paso, TX 79901
Contact: Carlos Marentes, 9151532-0921

Casa de Colores
PO Box 3032, Brownsville, TX 78523
Contact: Helga Garza, 2101542-0833

Tamualipas
Amnesty International
Apdo Postal 11-A Soc. A, Col. Juárez
Nuevo Laredo, Tamps. 88000
Contact: Eva Granados, 011-5/87-12-93-59

Parroquia San Jose
Cuahetemoc #912, Apdo 26
Nuevo Laredo, Tamps. 011-52187-12-81-45
Contact: P. Leonardo Lopez G.

Centro de Estudios Fronterizos y Promocion de Jef Derechos Humanos
Zaragoza No. 650 Primer Piso #4
Zona Centro, Reynosa, Tamps. 88500
011-52189-22-44-41
Contact: Arturo Solis