

## DIVIDED WE FALL

By David Bacon

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If Congress' current proposals for immigration reform pass this year or next, will they help the immigrant workers now doing reconstruction on the Gulf Coast? What about the residents hoping to return home - what might these proposals mean for racial divisions already fanned by New Orleans Mayor Ray Nagin and syndicated newspaper columnist Ruben Navarette in the wake of the flood?

Both Nagin and Navarette play on growing insecurity on each side of the migration divide. "How do I ensure that New Orleans is not overrun by Mexican workers?" the Mayor asked in early November. Navarette praised immigrants for "not sitting around and waiting for government to come to the rescue. They're probably living two or three families to a house ... that's how it used to be in this country before the advent of the welfare state." African American politicians, he said, just want to "keep the city mostly Black."

It's not a theoretical problem. The Gulf Coast disaster is having a profound and permanent effect on the area's workers and communities. The racial fault lines of immigration politics threaten to pit Latinos against Blacks, and migrant laborers against community residents hoping to return to their homes. Community organizations, labor and civil rights advocates can all find common ground in a reconstruction plan that puts the needs of people first. But flood-ravaged Mississippi and Louisiana could also become a window into a different future, in which poor communities with little economic power fight each other over jobs.

Even before Hurricane Katrina hit, the unemployment rate among Gulf residents was among the nation's highest. According to a study commissioned by the Congressional Black Caucus, 18 to 30 percent of people in the region live under the poverty line, and among Blacks in New Orleans, the poverty rate was 35 percent.

After the flood, jobs for workers in the area simply vanished along with their homes. Thousands of residents were dispersed to shelters and housing hundreds of miles away. Businesses closed for lack of customers. With no taxpayers filling the coffers, cities and school districts face bankruptcy. In New Orleans, Blacks, concentrated in public-sector jobs and already reeling from the storm and flood, were hit again by massive layoffs.

With no sure job waiting for them, few families had the resources to simply go back and take a chance on finding new employment. The Bureau of Labor Statistics found in October that 500,000 of the 800,000 people evacuated had yet to return home. According to Jared Bernstein, an economist at Washington, D.C.'s Economic Policy Institute, the average unemployment rate for evacuees is 24.5 percent-10.5 percent for those who've been able to return, but 33.4 percent for those who haven't.

What did New Orleans residents need to go back? Within a few weeks of the disaster, the People's Hurricane Relief Fund (PHRF) came up with some simple demands. The Federal government, it said, should provide funds to enable families to reunite, and make public the lists of evacuees maintained by FEMA and the Red Cross to help people find each other. Then disaster victims needed the same kind of immediate relief the World Trade Center fund provided in New York City. Finally, to enable people to restart economic life, the PHRF demanded public works jobs, at union wages. It called for putting community residents on the boards planning the rebuilding, and making their discussions public.

Steven Pitts, an economist at the University of California in Berkeley, points out that "the

fundamental question in reconstruction is the role of the displaced residents, both in planning the rebuilding itself, and in the support given them by the government."

What actually took place, however, was far from this community-based vision. As the floodwaters receded, a host of wealthy contractors invaded the waterlogged boulevards. Federal agencies signed no-bid contracts, guaranteeing that what little money they were willing to spend on reconstruction would become a source of private gain for the politically connected. Dispersed residents got no help in returning to rebuild their homes and lives. When they tried to go back, they were treated as threats to law and order-impediments to potential gentrification.

The Gulf Coast became instead a playground for advocates of free-market nostrums. The Davis Bacon Act's protection for workers' wages was suspended-reinstated only after massive protest organized by the AFL-CIO and many community groups in the region. Affirmative action, which might have diverted a small percentage of those no-bid contracts to locally owned firms, was abolished. The meager budget a Republican Congress was willing to divert from the Iraq war became a justification for slices to food stamps and student loans.

In this vast enterprise zone, sacrificing the welfare of workers and the poor was just one more incentive to attract corporate investment.

Contractors did come, sometimes bringing their workforce with them. Many migrants were also drawn to Mississippi and Louisiana on their own, by the word-of-mouth network that passes along news of any area where employers are hiring, and asking few questions about legal status. Employers wanted workers, but workers without families, who needed no schools or community services. They wanted workers who could be housed in homeless shelters, or packed into trailers like sardines.

Bill Chandler, political director in Mississippi for the hotel union UNITE HERE, and president of the Mississippi Immigrant Rights Alliance, describes the conditions for migrant workers: "We've found instance after instance of workers sleeping outside or in tents," he says, "or in abandoned trailers or even school busses. There's no enforcement of any health standards, no safety gear, and no immunizations for people who can easily get tetanus from cuts or punctures. Migrants work from sunup to sundown, without any benefits, and sometimes even without paychecks."

Inspectors for the U.S. Department of Labor's Wage and Hour Division wait in their offices for workers to complain. In Jackson, Mississippi, the Bureau of Immigration and Customs Enforcement is on the floor above the inspectors, and the detention center for deportees in the basement. As one might imagine, the Wage and Hour office doesn't get much walk-in traffic from immigrants, many of whom lack immigration documents. Instead, labor and immigrant rights groups are the ones who gather complaints and demand enforcement.

The biggest contractors-Halliburton and its subsidiary KBR, BE&K (a construction giant with a history of recruiting strikebreakers in labor disputes) and others-disclaim responsibility. They hire subcontractors, who hire other subcontractors, who hire labor recruiters, who employ the workers. According to Chandler, while the original FEMA contract might pay \$35 for the removal of each cubic yard of debris, the subcontractor who actually does the work probably gets \$10. Layers of middlemen absorb the rest. Subcontractors seek to underbid each other by pushing wages as low as possible.

A family seeking to return to the area, needing a living wage, can't make it on \$5-9/hour. And for migrants, the contract system imposes conditions reminiscent of a century ago.

This is the dark side of the neoliberal American Dream. The net result is the casualization of

the workforce throughout the hurricane-affected area. Temporary jobs instead of permanent ones. Jobs for mobile, single men, rather than for families. No protection for wages. Hiring through contractors and temporary agencies, instead of a long-term commitment from an employer.

Immigration bills currently in Congress will reinforce this system. Most proposals, from that of President Bush to the bipartisan Kennedy/McCain bill to the new measures put forward by Senators Chuck Hegel and Arlen Specter all rest on establishing huge new guest worker programs. They will allow companies to recruit 3-400,000 workers a year outside the U.S., and bring them in to work under temporary visas. Employers will undoubtedly make the same promises of good wages and conditions heard on the Gulf Coast. But the economic pressure of competing layers of contractors, recruiters and labor agencies will exert the same constant downward pressure. In the wake of Katrina, the contractors now in the Gulf will have a more systematic way to recruit the same kind of contingent workforce, with the active assistance of the Federal government.

Under these immigration reform proposals, the Department of Labor, with the same lack of political will to enforce worker protections it displays at present, will have a new charge. Together with the Social Security Administration, these agencies will be the immigration police, poring through employment records for those lacking guest worker visas. Inspectors may indeed leave that office in Jackson, but only to find and deport the undocumented. Those workers without papers, meanwhile, will be even more vulnerable than they are today. Their employers will have new leverage to demand unpaid overtime or impose bad conditions.

If one of these bills is enacted, job competition at the bottom of the workforce will grow more intense. And the likelihood of an immigration reform package passing with more enforcement provisions, expanded guest worker programs, and no worker protections is high, according to most policy watchers.

In the hurricane-affected areas, fears generated by competition are already apparent. Politicians like Nagin, using racial fears to win votes, and columnists like Navarette, seeking to incite racial hysteria among readers, both see gains to be made from increased division.

Yet as immigration changes the demographics of the South, its communities have a good record of reaching across racial lines. "Every immigrant rights bill in Mississippi has been introduced by African American legislators," Chandler says. In the state's poultry and meatpacking plants, longtime Black workers and a new wave of immigrants have found themselves on the same side in union organizing efforts. Hurricane relief is a key test of those bonds, and the desire to achieve common ground.

This year the Congressional Black Caucus made two important contributions to this effort. The CBC-sponsored HR 4197 addresses hurricane recovery and poverty, authorizing funds for housing and new Section 8 vouchers, for increased health care, and for extended unemployment and temporary assistance to needy families. It provides money to help returning residents rebuild their homes or seek new ones, and for schools to help relocated students. The bill reinstates Davis Bacon wage requirements, creates apprenticeship programs to develop good jobs, and requires the President to present a plan for eradicating poverty.

For Pitts, this moves in the right direction. "You have to assure there's a floor under wages," he suggests, "Both immigrants and African Americans need this. To ensure people can return, the government has to recognize the need for two kinds of income-wages from decent jobs, and money to cover the cost of relocation. Immigrants need a living wage too, as well as the right to organize and the ability to move freely, so they're not tied to an employer or contractor."

The CBC also supported another bill this spring, by Houston Congresswoman Sheila Jackson Lee. The Save America Comprehensive Immigration Act of 2005, HR 2092, provides a way for currently undocumented workers to gain permanent resident status, and enforces migrants' rights in the workplace. Unlike every other immigration proposal in Congress, it has no guest worker program, and doesn't call for greater enforcement of employer sanctions. It will take the fees paid by people applying for legal status, and use them to provide job creation and training programs in communities with high levels of unemployment. For community and labor activists who see Kennedy/McCain and similar proposals as dangerous, Jackson Lee's bill provides at least a partial program for progressive immigration reform.

The key to finding common ground is fighting for jobs for everyone. Whether Black, white, Asian or Latino, native-born or immigrant-no one can live without work. Yet this basis for an alliance of mutual interest has largely fallen off the liberal agenda. Even unions, the bastion of support for the Humphrey-Hawkins Full Employment Act, a 1970s proposal that the federal government provide jobs to eradicate unemployment, pay only lip service to the idea today. In the Democratic Party, free market ideologues ridicule the idea that the government should guarantee employment, as it did in the New Deal programs of the 1930s. Instead, both parties propose to pile guest worker programs, and increased enforcement of employer sanctions, on top of job competition. This is an explosive mixture in which no one has the right to a job, and everyone shares only increased insecurity.

Unemployment and racism in the U.S. economic system pit communities of color against each other, and against working-classwhite communities. Competition produces lower labor costs and higher profits. It's no accident that the guestworker programs in Congress are pushed by the Essential Worker Immigration Coalition, which includes 38 of the country's largest industrial and business associations.

Racial division is a powerful political weapon as well, helping to maintain a conservative Republican majority in Congress and the White House. By the same token, for working communities, overcoming racial division creates new possibilities for winning political power. In the early 1980s a Black-Latino alliance defeated the Chicago political machine and elected Harold Washington mayor. In the spring of 2005 the same strategy elected Antonio Villaraigosa mayor of Los Angeles, where division between Blacks and Latinos was used to keep conservatives in power for decades. The rebuilding of Biloxi, Gulfport and New Orleans can forge a similar political coalition on the Gulf Coast too. But to accomplish that, working class communities will have to reject the use of immigration as a new dividing line to keep them apart.