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CHAPTER 6

NEBRASKA'S RESPONSES TO IMMIGRATION

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NEBRASKA'S CONTEXT OF RECEPTION: THE ROLE OF POLICY AND COMMUNITY RESPONSES

INTRODUCTION

In the midst of the fiery debate regarding undocumented immigration,¹ that old elephant in the room, assimilation, was finally let out of the cage in recent congressional debates and returned to the front seat it once occupied during the early decades of the past century. Public anxieties over increased immigration historically have focused on immigrants' alleged unwillingness to assimilate. The cacophony of new languages, particularly foreign to today's largely monolingual, native-born Americans, often becomes the lightning rod for such anxieties. This is particularly true in new destination communities with little recent exposure to immigration.² Such unexamined fears now have materialized in a U.S. Senate bill, declaring English the national language. The dangerous tenor underlying this bill and similar national policy proposals is sure to have a boomerang impact back in the local communities that may have unwittingly informed them.

English proficiency is commonly identified by researchers as a variable associated with immigrant adaptation to host societies. However, the vast research in the subject also makes clear that a much more complex host of factors shapes assimilation trajectories, and they do so in not always predictable or popularly accepted ways. Second-generation children of poor and racialized immigrant laborers, for example, may

be fluent in English and commonly assimilate into their native country. However, when deprived of proactive government policies and compensatory programs that adequately address barriers such as poverty and discrimination, these children tend to assimilate downward, into the lower rungs of American society. Moreover, the negative effect of unaddressed barriers can linger beyond the second generation.³

The main purpose of this chapter is twofold: (1) to take stock of the policies and accompanying community responses that the State of Nebraska has crafted to address the challenges and opportunities posed by a growing immigrant population, and (2) to inform policies and programs designed to address those challenges and harness such opportunities. Data for the chapter were obtained by the Office of Latino/Latin American Studies (OLLAS) at the University of Nebraska from two major sources: (1) About twenty-four personal as well as e-mailed and telephone interviews with a diversity of experts, and (2) archival searches of government, media, and academic sources. Interview protocols consisted of questions about state policy and other actions aimed at addressing the growth in immigrant population in Nebraska, in general, and with regard to the specific policy area in which respondents have unique expertise (employment, health, housing, education, and law enforcement). The chapter's main focus is on state-level policies. To that aim, the author conducted an extensive search of every legislative bill that has been passed since the late 1980s whose content or impetus is associated with the new immigrant wave. However, the chapter also highlights those moments when, in the absence of state-level initiatives, local communities, agencies, and advocates are found to fill the institutional hole.

Space and lack of sufficient data does not allow for a full examination of the differential impact that policies and community responses may have had on every immigrant group in the state. However, given their sheer numbers and historical presence in the United States, it is Mexicans, and to a lesser extent other Latin American groups, that policymakers often have in mind when crafting immigration or immigrant integration policies. This chapter also is largely informed by the experiences of these groups and the author's long-term involvement in research and policy dealing primarily with low-wage, meatpacking workers, the majority of whom are from Mexico and Central America.

The chapter provides sociodemographic profile of Nebraska's immigrant population with special attention to Latinos, by far the largest group. The sections following this demographic profile focus on the specific policy areas mentioned above. Space confines us to highlighting some of the most important policy efforts and omissions

TABLE 6.1. INTERVIEWEES' EVALUATION OF NEBRASKA'S IMMIGRANT INTEGRATION POLICIES

NEBRASKA'S IMMIGRANT INTEGRATION POLICIES	PERCENT
Inclusive	17.2
Negligent	44.8
Exclusive	10.3
Others	10.3
No response	17.2

N = 29

at various geographical and political levels and emphasizing state-level policies enacted in the past ten to fifteen years.

The diversity of approaches followed by government policies dealing with new immigration can be generally categorized as promoting "exclusion," "inclusion," or "neglect" of the immigrant population, each with ensuing negative or positive consequences for the long-term integration of immigrants into the state's social and political fabric. The interview protocol utilized for this project asked respondents to evaluate the state along those lines. Their responses are found in Table 6.1.

IMMIGRATION POLICY AND COMMUNITY RESPONSES: A BROAD OVERVIEW

Nebraska experienced two major immigration waves during the 1900s, one at each end of the twentieth century. Southern European laborers arrived in the early 1900s to work on the railroads and in a flourishing meatpacking industry. Immigrants from Latin America, and to a lesser extent Asia and Africa, began arriving in earnest by the early 1990s and have continued to come in large numbers as the twenty-first century begins. Active recruitment by a new breed of meatpacking plants has been the major trigger of this latest migration stream, albeit immigrants arriving in Nebraska today are also filling jobs at the middle and, to a lesser extent, the upper end of the employment scale. In 2006, as earlier, immigrants are the labor engine of the state's agrofood economy and are therefore found in significant numbers in rural, not just urban, areas. In 1910, 14.8 percent of the total Nebraska population was foreign-born white and 67.6 percent of those lived in rural areas. In 2000, the foreign born made up only 4.4 percent of the total state population and 33 percent

lived in rural areas, the majority of which are home to large meatpacking plants and an overwhelmingly Latino labor force.⁴

Despite differences in the national origins, proportion, and timing of these two labor migration waves, striking similarities can be found in the attitudes and government responses experienced by the poorest segments of these waves. In the early twentieth century, Greeks, Italians, and Poles, among others, were often characterized in the media and academic articles as unwilling to learn English and assimilate into American society.⁵ Their growing numbers were considered a threat to workers from ethnic groups enjoying higher social rankings, as was the case with German-origin groups who had experienced their own share of discrimination in an earlier period. An *Omaha Daily News* editorial published around 1919 captured this sentiment against the Greeks, a group that eventually fled Nebraska under fear of persecution: "Greeks are a menace to the American laboring man—just as the Japs, Italians, and other similar laborers are."⁶

Official policy responses to the "immigrant problem" during the first part of the twentieth century were rather muted, contradictory, and sporadic when compared to the more persistent and vitriolic attitudes found among some segments of the general public. Nebraska did pass a law in 1919, later overturned by the U.S. Supreme Court, declaring English the official language of the state and forbidding the teaching of foreign languages in Nebraska schools. The proviso, believed to have been aimed at German immigrants, was nevertheless inscribed in the 1920 Nebraska constitution, making Nebraska the second state in the nation to declare English its official language. Efforts to ratify a constitutional change to eliminate the provision that specifically forbids teaching foreign languages in private schools failed in a 2002 referendum. Voters mistakenly feared a yes vote would amount to official support for bilingual programs.⁷

In the early part of the twentieth century, Nebraska also joined other states in establishing the "Americanization" programs popular at the time. While Native Americans, and to some extent Germans, were exposed to the most oppressive elements of this Americanization effort, immigrants in Nebraska as a whole tended to encounter a rather benevolent program administered by local neighborhood organizations such as Social Settlement. The program focused mainly on English language instruction and citizenship classes. There is also scattered evidence of collaborative efforts between the state and social services organizations and the schools to offer free health and dental clinics as well as adult education classes for immigrant parents.⁸ In the end, Nebraskans seemed

to recognize that these foreign-stock workers were critical to the economic vitality of a largely under-populated and depopulated state.

The reception afforded to new immigrants in recent years, especially to those from Latin America, also has been contradictory. It has varied from community to community, vitriolic among some segments of the public, and rather passive or haphazard but seldom utterly restrictionist in official state or local policies. On the contrary, as I shall detail later, the Nebraska unicameral legislature has passed or attempted to pass a series of legislations aimed at welcoming immigrants and facilitating their integration into economic and other local institutions. Local governments in rural counties dependent on meatpacking have been largely proactive in facilitating the arrival and integration of a labor force they understand is their lifeline in the aftermath of the farm and rural crises of the 1980s. In fact, media coverage and analyses of census data continuously point out that international migration has literally saved the state and many rural communities from losing population since the 1990s, something they can not afford.⁹

While there has been some minimal activism against school bond issues and immigrant-driven housing patterns at the local levels, particularly in rural areas, these have been rare and have often failed. It is conceivable that the state's populist history and persistent labor needs have fostered what some advocates and students of local immigration believe is a somewhat positive context of reception for new immigrants. As a civil rights attorney steeped in local history put it:

In Nebraska, there isn't anything politically entrenched around how we treat minorities. If anything is entrenched it is [the idea] that this is a state built by immigrants and newcomers. . . . You don't go out there and make it sound like you are beating up on people who have come here to work and live in Nebraska because it is an option they decided upon to better their family life. For what other reason did our grandparents come here?¹⁰

Unfortunately, the country's increasing fears about lax border security and rising numbers of unauthorized migrants are beginning to affect the tenor of political discourses at the local level and, to some extent, the state's policy environment. In the 2000 primary elections, for example, three of the four Republican candidates for the U.S. Senate, as well as the Democratic candidate, Ben Nelson, were anything but shy in telling their rural and urban constituencies that immigrant workers were needed in Nebraska. They advocated easing immigration laws to allow more

of them to come legally to the United States. They also came out in support of temporary worker programs, even exempting some immigrant-dependent industries from immigration caps, and looked favorably at a citizenship path for temporary and unauthorized workers. In addition, all candidates, as well as the state's governor at the time, Mike Johanns, currently the U.S. secretary of agriculture, expressed their disapproval of something called Operation Vanguard,¹¹ an industry-by-industry, employment-enforcement strategy aimed at removing unauthorized migrants from the workplace in non-border areas, which the Immigration and Naturalization Service (INS) unsuccessfully piloted in Nebraska's meatpacking plants starting in December 1998. It continued until the months prior to the primary election of 2000.¹²

The immigration story was dramatically different in the recent primaries held in May 2006. By this time, the two candidates who had also competed in the 2000 primaries, Senator Ben Nelson, a Democrat, and former attorney general Don Stenberg, a Republican, made border enforcement and fences the centerpiece of their immigration proposals, while their earlier pro-immigration rhetoric was all but forgotten.¹³ Nebraska residents lately have become increasingly animated by the "enforcement first" rhetoric that has characterized the Nelson campaign, while the other Nebraska senator, Republican Chuck Hagel, is repeatedly berated in the media for what some insist on labeling an "amnesty" immigration proposal.¹⁴

To be sure, many other contradictory and divergent views abound across issues and among politicians trying hard to carefully navigate the torrential waters of immigration and its diverse constituents. The entire Nebraska congressional delegation, including U.S. Representative Tom Osborne, has recently supported harsh anti-immigrant legislation in the U.S. Congress such as HR 4437, the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005. The bill will make it a crime to be in the United States illegally or provide assistance to undocumented immigrants. Yet during his recent bid to win the Nebraska GOP gubernatorial primary, Osborne took a strong stand in favor of LB 239, a state bill granting qualifying children of unauthorized migrants the right to pay in-state college tuition rates.¹⁵ The in-state tuition bill was unsuccessfully vetoed by the current governor, Dave Heineman, who, like all other candidates in the 2006 elections,¹⁶ has sought to make illegal immigration a focal point of his campaign. "Illegal immigration," he stated in a recent mailing, "puts a burden on our taxpayers."¹⁷ Heineman defeated Osborne for the GOP nomination for governor and is all but assured a victory in the November 2006 general election.

Conversely, Senator Hagel has achieved national stature and is currently leading a Senate compromise on comprehensive immigration reform that will include a guest worker program and earned legalization for unauthorized migrants. At the state level, a considerable number of Nebraska state senators have been proactive in a number of efforts aimed at facilitating immigrant integration. A Republican senator cast the decisive vote that allowed the Nebraska unicameral legislature to successfully override the governor's veto of the in-state tuition bill.

There is, however, an increasingly visible segment in Nebraska that seems emboldened or even newly constituted by the anti-immigrant climate brewing around the country and, arguably, some of the high-profile enforcement stands taken by some of our representatives in Congress. Immigrants are generally portrayed by this group as primarily Mexican and undocumented. The litany of complaints hurled against them is rather predictable (they do not want to assimilate or learn English, they abuse the generous public benefits system to which they are not entitled, and lately, they bring diseases into the country). In a Nebraska Public Radio program in which I participated, my opponent, an emeritus professor from the University of Nebraska Medical Center, sounded all these alarms, plus called Mexico a "hellhole" and the culture of Latin American immigrants "degenerate."¹⁸

Anti-immigrant voices in Nebraska have become more salient and more vicious in the weeks surrounding the large pro-immigrant marches held around the country on April 10 and May 1, 2006. On April 10, the state was headlined by major national news organizations when a surprising number of pro-immigrant individuals marched in rural and urban towns alike (15,000 was the last count in Omaha). As in the rest of the nation, the majority were immigrant and native-born Latinos protesting House Bill HR 4437 and supporting a comprehensive immigration reform that would include a citizenship path for unauthorized migrants currently in the state.¹⁹ A smaller number, about 3,000, marched on May 1 and delivered similar messages to the various congressional offices. As another advocate put it, "The marches did not so much change the respective positions of people per se, but [they] did also facilitate the coming out of the woodwork of a lot of the anti-immigrant forces who otherwise were just hunkered down."²⁰

Until recently, anti-immigrant groups have been all but absent in Nebraska, even when compared to neighboring Iowa, which has very few. The only signs of organized anti-immigrant efforts have been billboards paid for by national organizations such as the Federation for American Immigration Reform (FAIR) that occasionally have been

spotted along Interstate 80, near towns such as Grand Island and Lexington, where meatpacking plants hire large numbers of Latino immigrants, many of whom are unauthorized. More recently, however, a group calling itself Nebraskans Fed-Up with Illegal Immigration organized its first protest in front of the Omaha Mexican Consulate on May 20, 2006. About ninety people showed up. Another small group, composed of residents of Omaha and surrounding nonmetropolitan areas, met at a local library on May 17 to organize a chapter of the Minutemen Civic Defense Corps, which is known for sending armed groups to patrol the U.S.-Mexico border. According to the leader, they plan to launch a series of local actions, such as surveillance of companies suspected of hiring undocumented workers and pressure on landlords not to rent to unauthorized migrants.²¹

A recent *Omaha World-Herald* article also recounted how both U.S. senators from Nebraska are receiving record numbers of calls, the majority against immigration. "You are acting stupid," a rural caller said to Senator Hagel, "close our borders." "Immigrants bring disease," said another from Omaha.²² Letters to the editor have been running about the same, with anti-immigration letters far outnumbering those who favor less-restrictionist stands. On the other hand, some polls suggest that Nebraskans, like the rest of the nation, feel as conflicted about immigrants today as they have in the past. While 74 percent of Nebraskans surveyed agreed with the national majority that enforcement should come before other immigration reforms, less than half (47 percent) were in favor of forcibly requiring undocumented immigrants to leave the country. An even larger number (61 percent) support an immigration law that welcomes immigrants as long as terrorists, criminals, and those who will abuse the welfare system are kept out.²³

The policy choices Nebraskans stand to make in the next months and years will determine whether the state adopts a more exclusive, inclusive, or passive approach to immigrant integration.

The role of a much denser and better-organized network of immigrant organizations, advocacy groups, and community social agencies retooling themselves to support immigrant rights and more fully integrate their immigrant workforce is an important counterweight to the exclusionary impulses found in other circles.²⁴ Until very recently, such community responses have been mostly concentrated, but not singularly present, in the larger urban communities such as Omaha and Lincoln. Their well-documented successes in influencing government policy changes, such as stopping Operation Vanguard, encouraging the formation of diversity and welcoming programs, and rising levels of

TABLE 6.2. WORLD REGION OF BIRTH OF FOREIGN BORN, NEBRASKA, 2004

FOREIGN-BORN POPULATION EXCLUDING POPULATION BORN "AT SEA"	TOTAL	PERCENT
Europe	9,581	11.5
Asia	21,477	25.8
Africa	5,447	6.5
Oceania	359	0.4
Latin America	44,754	53.8
Northern America	1,608	1.9
Total	83,226	100

Source: Office of Latino/Latin American Studies calculations, based on the 2004 American Community Survey, U.S. Census Bureau.

unionization in Nebraska's food-processing industry, also defy easy generalizations about contexts of reception in new destinations as well as urban versus rural communities. Finally, a very important development for all of us to watch will be whether the historical immigrant marches held in the streets of large and small Nebraska communities in spring 2006 will evolve into a sustained political movement that will shape local immigration and immigrant integration policies in novel ways.

IMMIGRANTS IN NEBRASKA: A BRIEF SOCIODEMOGRAPHIC PROFILE

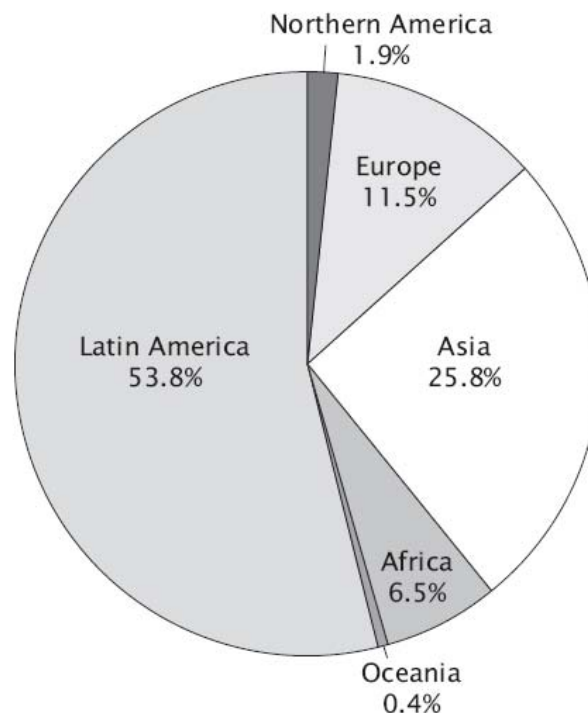
In 2004, the U.S. census estimated Nebraska's foreign-born population at 83,226, or about 5 percent of the state's population. The majority of these immigrants arrived between the early to mid-1990s. Another 25,576 immigrants entered the country in 2000 or later. The great majority of these immigrants (53.8 percent) are of Hispanic and Latino origin, primarily Mexican, but increasing numbers of Central and South Americans have made Nebraska their new destination.²⁵ The next largest groups were made up of Asians with nearly 26 percent, Europeans with 11.5 percent, and Africans with 6.5 percent (see Table 6.2 and Figure 6.1, page 152).

Nebraska's foreign population grew faster than any other of the ten midwestern states between 1990 and 2000; however, the foreign born still made up a small fraction, about 5 percent, of Nebraska's total population in 2004.²⁶ But such aggregate measures

fail to capture the true impact of new immigration to the state. Analysts point out that newly released census estimates once again reveal that Nebraska's positive international immigration has offset its negative domestic immigration since the 1990s and fueled much of its economic growth.²⁷ While 70 of the state's 93 counties lost population over the past five years, immigrant-receiving communities continue to grow, albeit at a slower pace than in previous years.²⁸ Omaha is the state's most important immigrant destination, and during the past five years it has added an additional 8,691 foreign born.

While the majority of the foreign born are concentrated in metro areas, about a third have settled in non-metro destinations. The rapid demographic shifts Nebraska has experienced in the past fifteen years or so can best be captured at this sub-state level. Some non-metro Nebraska communities, for example, saw their population swell upwards of 1,300 percent between 1990

FIGURE 6.1. FOREIGN BORN POPULATION BY WORLD REGION OF BIRTH, NEBRASKA, 2004



Source: Office of Latino/Latin American Studies calculations, based on the 2004 American Community Survey, U.S. Census Bureau.

TABLE 6.3. PERCENTAGE CHANGE IN WHITE ALONE, NOT HISPANIC/LATINO, AND HISPANIC/LATINO POPULATIONS IN SELECTED NEBRASKA CITIES, 1990-2000

CITY	WHITE ALONE, NOT HISPANIC/LATINO		HISPANIC/LATINO		PERCENT CHANGE IN WHITE ALONE, NOT HISPANIC/ LATINO POPULATION IN 2000 (BASED IN 1990)	PERCENT CHANGE IN HISPANIC/ LATINO POPULATION IN 2000 (BASED IN 1990)
	1990	2000	1990	2000		
Omaha	276,218	293,876	10,288	29,397	6	186
Bellevue	26,968	36,916	1,213	2,609	37	115
Columbus	19,171	19,209	167	1,395	0	735
Fremont	23,261	23,570	165	1,085	1	558
Grand Island	36,732	34,960	1,887	6,845	-5	263
Hastings	22,192	21,790	268	1,343	-2	401
Kearney	23,415	25,525	667	1,118	9	68
Lexington	6,231	4,635	329	5,121	-26	1457
Lincoln	179,302	198,087	3,764	8,154	10	117
Norfolk	20,748	20,834	299	1,790	0	499
North Platte	20,994	21,725	1,355	1,596	3	18
Schuyler	3,873	2,893	164	2,423	-25	1377
Scottsbluff	10,460	10,548	2,720	3,476	1	28
South Sioux City	8,704	8,074	545	2,958	-7	443

Source: Lourdes Gouveia and Mary Ann Powell, with Esperanza Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska: A Statistical Profile to Inform Policies and Programs," Office of Latino/Latin American Studies, University of Nebraska at Omaha, 2005.

and 2000 as a result of immigration. This was the case of rural communities devastated by the farm and rural crises of the early 1980s that sought to recover their economic vitality by attracting new meatpacking plants or expanding old ones.²⁹ As Table 6.3 makes clear, the Latino population, overwhelmingly of foreign stock, moved into a number of communities that had experienced serious population losses among non-Latino whites between 1990 and 2000. By 2000, towns such as Lexington or Schuyler, whose Latino population did not exceed 5 percent in 1990, were, respectively, 51 percent and 45 percent Latino.

Fueling this growth is not simply new arrivals, but a large number of children born to immigrant parents—the second generation. The Latino population in Nebraska is very young (about 44 percent of Latinos were nineteen years old or less in 2000 and only 14.5 percent were forty-five years or older in 2003).³⁰ Nebraska's population is aging rapidly and has one of the slowest child population growth rates in the country (about 5 percent in 2000).³¹ In fact, were it not for the increase in Hispanic children in recent years, the state would have shown a continuous decline in its child population. In 2004, the latest year with available figures, the number of births increased for the tenth straight year and was the highest recorded since 1982. This growth is mostly attributed to the surge in the number of births among Latinos.³² In 2004, a much larger proportion of Latinos (20.6 percent) than whites (13.2 percent) or African Americans (14 percent) were in their twenties, an age band commonly associated with peak levels of fertility.³³

While persons from Africa make up a smaller percentage of Nebraska's foreign born than Latinos, Asians, and Europeans, their numbers have been increasing steadily. This is largely due to the resettlement of Somali and, most important, Sudanese refugees. In fact, Nebraska has the largest concentration of Sudanese refugees in the nation, estimated at about 8,000 by local Sudanese leaders. There are no accurate counts of the African population. The majority resides in the two largest metropolitan areas, Lincoln and Omaha, and some estimate that between 5,000 to 6,000 Sudanese now make their home in the latter.³⁴ In 2000, 500 Sudanese were estimated to be living in Grand Island, a metropolitan town of 42,940.³⁵ A smaller, but not insignificant number of people from both groups also made their way to smaller meatpacking communities such as Norfolk, home to a Hormel meatpacking plant. In 2004, about 1,500 African immigrants, primarily Sudanese, were estimated to reside in Norfolk, a town of about 24,000 people. The Hormel plant was bought by Tyson and has recently closed, prompting a massive exodus among these workers. While there is much talk in new destinations, including Nebraska, about new immigrant children straining local school resources, the concern expressed by Norfolk's school superintendent, Randy Nelson, is of a different sort. In a recent newspaper story he lamented the loss of up to \$1.8 million in state aid to his district that may result from this population exodus.³⁶

Individual characteristics of immigrants partly determine their integration prospects; however, they vary by nationality and social class,

among other things. Such differences must be taken into account when designing policies that address potential barriers to the productive integration of immigrants and, most important, their children. The majority of immigrants to Nebraska are Mexican and Central American laborers with low levels of education and high levels of poverty, and they are concentrated in low-income occupations.³⁷ In 2004, 42.2 percent of the total foreign born had not completed high school.³⁸ The percent among Latino foreign born is significantly higher—in 2000, it stood at 71.8 percent.³⁹ On the opposite site of the educational spectrum,⁴⁰ the foreign born in Nebraska were more likely to have completed a graduate or professional degree than the native born—12 percent and 8 percent, respectively, in 2004.

Poverty levels among the foreign born are higher than for the native born (18.4 percent and 10 percent, respectively). However, for naturalized citizens, the rates are equal to those of the native born, while for Latinos the rate is much higher—in 2000, it stood at 20.4 percent.

The rate of naturalization has been increasing in Nebraska but, as in the rate for the nation, it is lower among poorer Latino groups. In 2004, 46 percent of the foreign born, but only 38.9 percent of Latinos were naturalized.⁴¹ Poverty, high rates of unauthorized migrants, and low levels of English language fluency are commonly associated with lower naturalization rates, as is a high possibility of returning to one's home country.

Finally, English proficiency levels for the foreign born vary significantly by the language spoken at home, which is another way of saying that they vary by the class differences associated with those nationalities. As a whole, among the foreign born who speak a language other than English and are five years old or over, 26.6 percent speak English very well and 55.5 percent speak English less than very well. Among Spanish-speaking foreign born, the proportions are 20.9 percent and 79.1 percent respectively.⁴²

As the U.S. Senate declares English the national language, it becomes particularly important for researchers to clarify for the American public the factors that contribute to, or conspire against, learning English or acquiring other traits associated with sociocultural, economic, or political incorporation. Among such factors is a real dearth of focused and coherent policies, as well as accessible and affordable programs in Nebraska that are aimed at eliminating these language and socioeconomic barriers, especially for the majority of Latino immigrant workers as well as Sudanese refugees.⁴³

IMMIGRANT EMPLOYMENT AND LABOR CONDITIONS IN NEBRASKA

Nebraska's perennial labor shortages, found at both ends of the employment spectrum, provide the relevant backdrop for understanding the formation and impact of the second largest immigration wave in the state's history. The state's unemployment rate remained below 3 percent during the entire decade of the 1990s, when immigration was at its highest. Today, Nebraska's 3.4 percent unemployment rate (as of April 2006) is the seventh lowest in the nation.⁴⁴

By far the biggest demand for immigrant labor, documented and undocumented, has come from the lower-wage, labor-intensive meat processing industry, a mainstay of the state's economy. The overwhelming majority of these workers are Latinos. A ten-year examination (1988–97) of industrial concentration of Latinos in the Midwest helps document this pattern. From that review we learn that the “food and kindred products” industry, a subcategory of Manufacturing, which contains meatpacking workers, was the only industry in the Midwest that met the definition of a “Latino industrial niche” during each of the ten years. Moreover, foreign-born Latinos are more than twice as likely as native-born Latinos to be employed in this and, to a lesser extent, nine other industrial niches.⁴⁵

As their numbers and diversity have increased, however, immigrants have begun to fill jobs in a wider array of labor markets. Table 6.4 shows the location of the foreign born across broad industry categories. While space does not allow for more detailed tables, it is already clear that the foreign born are much more likely than the native born to be concentrated in industries employing large numbers of lower-wage workers, as is the case with manufacturing and food services. However, somewhat smaller proportions of immigrants are also found in industries associated with higher-skilled workers such as professional and scientific management and administrative services. The last column on the right shows how these proportions are shifting for immigrants arriving after 2000. Specifically, the number of immigrants in manufacturing and food services is declining, while more are found in the higher-end industries. This is due to the fact that, since 2000, a larger number of higher-educated immigrants have made their way to the state, rather than to upward mobility experienced by traditional labor migrants.

Where immigrants work varies by nationality or region of origin, which is also highly correlated with educational and skill levels. As Table 6.5 (page 158) suggests, Mexican, Guatemalan, and Salvadoran foreign

TABLE 6.4. INDUSTRY BY NATIVE BORN AND REGION OF BIRTH OF FOREIGN BORN, NEBRASKA, 2004

INDUSTRY	PERCENT OF NATIVE	PERCENT OF FOREIGN BORN	PERCENT OF FOREIGN BORN, ENTERED U.S. 2000 OR LATER
Agriculture, forestry, fishing and hunting, and mining	5.8	1.9	3.1
Construction	6.9	6.9	11.1
Manufacturing	8.3	32.7	20.5
Wholesale trade	4.3	2.4	1.0
Retail trade	12.1	5.2	6.0
Transportation and warehousing, and utilities	6.2	3.2	2.3
Information	2.1	0.3	0.3
Finance, insurance, real estate, and rental and leasing	8.1	2.4	0.3
Professional, scientific, management, administrative, and waste management services	7.9	8.4	7.0
Educational, health and social services	22.0	16.7	16.8
Arts, entertainment, recreation, accommodation, and food services	7.5	13.5	28.3
Other services, except public administration	4.9	3.3	2.1
Public administration	4.0	3.1	1.2
Total	100.1	100.0	100.0

Source: Office of Latino/Latin American Studies calculations, based on the 2004 American Community Survey, U.S. Census Bureau.

born are much more likely than immigrants from other Latin American and non-Latin American countries to be found in the manufacturing industry (of which meat processing is the largest sector in Nebraska), construction, and lower-paid service industries. Asians are found at both ends of the industry scale. Their presence in manufacturing today is less likely to be connected to meatpacking than when the industry first

TABLE 6.5 INDUSTRY BY REGION OF BIRTH OF FOREIGN BORN, NEBRASKA, 2000

INDUSTRY	PERCENT OF ASIA	PERCENT OF MEXICO	PERCENT OF GUATEMALA	PERCENT OF EL SALVADOR	PERCENT OF OTHER CENTRAL AMERICA,			PERCENT OF SUDAN	PERCENT OF OTHER AFRICAN
					CARIBBEAN,	SOUTH AMERICA			
Agriculture, forestry, fishing and hunting, and mining	1.3	4.7	0.7	2.5	0.0	0.0	0.0	0.0	0.7
Construction	0.9	11.3	12.7	0.6	4.8			0.0	2.3
Manufacturing	32.3	52.9	60.9	82.3	11.0			22.9	17.9
Wholesale trade	2.9	3.9	4.4	0.6	2.0			0.0	3.4
Retail trade	5.8	3.9	1.0	6.0	7.8			0.0	0.0
Transportation and warehousing, utilities	2.2	1.3	4.7	0.0	3.1			0.0	2.2
Information	2.1	0.7	0.0	0.0	0.0			0.0	4.6
Finance, insurance, real estate, and rental and leasing	3.6	1.6	2.0	0.9	3.3			0.0	6.8
Professional, scientific, management, administrative, and waste management services	6.8	3.4	0.0	1.7	7.6			38.5	7.1
Educational, health, and social services	25.7	4.7	1.8	3.4	44.3			0.0	40.4
Arts, entertainment, recreation, accommodation, and food services	10.1	8.1	8.3	1.7	7.9			0.0	13.9
Other services, except public administration	3.7	3.0	1.6	0.6	5.6			38.5	0.7
Public administration	2.7	0.5	2.0	0.0	2.5			0.0	0.0
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Office of Latino/Latin American Studies calculations, based on the 2000 Census, Public Use Microdata Sample: Nebraska, U.S. Census Bureau.

began expanding into rural Nebraska communities. At that time, Vietnamese and Laotian refugees were heavily recruited by companies such as IBP, although their numbers were never as significant as those of Latino workers.⁴⁶ Conversely, newer arrivals such as Sudanese and Somali refugees (included under "Other African," in Table 6.5) have often found or been placed in meatpacking jobs upon their resettlement to Nebraska. A similar course was followed by Asian refugees, who have now moved on to better employment. In fact, Sudanese community members often express frustration about their inability to access good jobs early on, despite the relatively high educational credentials of some of their members.⁴⁷ I expect the Sudanese will follow a path similar to other refugee communities and even some Mexican and Central American immigrants, whose first Nebraska job was in meatpacking, regardless of educational credentials.

The employment hierarchy becomes even clearer when looking at the kinds of occupations in which immigrants are highly represented or underrepresented. Table 6.6 (page 164) clearly shows that Mexican, Guatemalan, and Salvadoran foreign born, as well as the Sudanese, are highly represented in production occupations but virtually absent from management. Conversely, immigrants from Asia and other Latin American countries, as well as "other Africans," are much more likely than these other groups to be found in the "management, professional, and related occupations" category.

IMMIGRANTS IN NEBRASKA'S MEATPACKING INDUSTRY

After experiencing a severe profitability crisis and employment contraction during the previous decade, by the 1980s the meatpacking industry had begun to expand again under the leadership of new companies such as IBP. It was also transformed from an urban to a rural industry, close to cattle and away from old union strongholds.⁴⁸ Meatpacking's expansion proved fortuitous for a state—and particularly its smaller communities—that had been devastated by the farm crises of the mid-1980s. State and local officials often intervened quite decisively in support of new economic development strategies centered on "value-added" agriculture. More often than not, "value added" referred to labor-intensive meat processing facilities.⁴⁹

The farm crises had exacerbated Nebraska's population exodus that had begun decades earlier. Native-born workers also had exited a crisis-ridden meatpacking industry during the 1970s as old plants closed down

or reduced employment and benefits. Luring those workers back into the industry would prove all but impossible; seldom do workers return to an industry they have exited. More important, this new breed of packers hinged their profit-making strategies on, among other things, reorganizing work tasks in a way that would allow them to hire an unskilled, and therefore lower-wage, workforce. Real wages in meatpacking in 1990 were about half what they were in the early 1970s. In the absence of, or lack of support for, unions in smaller communities, the new workforce would labor in an environment characterized by fewer worker benefits, faster line speeds, higher injury rates, and shorter career paths.⁵⁰

The combination of all these factors made it clear that labor would have to be imported from somewhere. Meatpacking plants hired full-time recruiters and soon relied on the tightly woven immigrant networks to create a workforce literally from scratch. As has been well documented elsewhere, the state, as well as local governments and leaders, contributed to the recruitment of, and subsidized training costs associated with, this new labor force.⁵¹ Today, Latino workers constitute between 80 percent and 90 percent of any given meatpacking plant's labor force. Local Latino leaders and researchers estimate that unauthorized migrants make up anywhere between 25 percent and 50 percent of individual meatpacking plants' workers.

Meatpacking employers clearly have benefited from and been the major contributor to this influx of workers. For small meatpacking towns there are certain costs as well as benefits associated with the sudden presence of a large employer that seeks to import nearly 100 percent of its labor force, the majority of whom are linguistically, ethnically, and culturally distant from the pre-existing population.⁵² While no single study adequately summarizes the aggregate costs and benefits of this new immigration, there have been several case studies, countless media stories, and at least one economic analysis examining these mixed results.⁵³

Lexington has been one of the most studied meatpacking towns in the state, beginning with the work of this author and her colleagues. Our work documented the strain on local schools, the struggle of non-profit social agencies trying to provide housing and basic necessities for newly arrived workers, and an initial wave of crime associated with age as well as contingents of California-based criminal groups that sought to take advantage of this vulnerable population. By the same token, we documented benefits such as a healthy increase of sales taxes, the revitalization of downtown businesses (most of which were boarded up at the end of the farm crisis), and the fact that the immigrant presence

created additional jobs for native-born or older residents while taking virtually none from them.⁵⁴ A labor study conducted by two Nebraska economists further highlighted these benefits. Immigration, the study concluded, had boosted property values and tax revenues in Lexington as well as increased wages for nonimmigrants.⁵⁵

IMMIGRANT LABOR'S IMPACT BEYOND MEATPACKING AND RURAL NEBRASKA

Benefits to employers derived from the presence of large numbers of immigrant workers are no longer confined to the meatpacking industry nor to the small towns that first triggered their move to Nebraska. Hispanic workers can be found in dairy farms, egg processing, livestock operations, retailing, and small manufacturing. Today, it is rare to find roofing, landscaping, cleaning, housekeeping, and many other lower-wage businesses in Omaha that do not rely on immigrant workers, especially ones from Latin America.

South Omaha, site of the old meatpacking industry, has been revitalized as Latinos have moved into the empty houses and boarded-up businesses that dotted the district after the meatpacking crisis of the 1970s and early 1980s.⁵⁶ Even the meatpacking industry, which claimed to have left the city in order to be closer to cattle, has returned to the area; apparently in order to be close to workers. About a dozen plants have been refurbished or opened anew, and these employ about 4,000 workers today.⁵⁷

As in small meatpacking towns, state and local officials have lavished some of these new immigrant-dependent ventures with generous tax subsidies, even when, according to some immigrant advocates and state senators, they did not qualify. This is the case of Nebraska Beef, established in 1995 by a group of largely unnamed investors who bought an old, decaying packing plant. The owners have received millions of dollars under programs such as LB775 (the Nebraska Employment and Investment Growth Act), a City of Omaha Community Development Block Grant, and—most disputed of all—LB 829, the Quality Jobs Act. The latter was intended to provide incentives for companies to locate or expand in Nebraska. However, Nebraska Beef applied for these subsidies only after completing construction of its plant. Advocacy groups such as Nebraska Appleseed have argued quite convincingly that this violates the spirit and letter of the law. In addition, the company has become a sort of “poster boy” for a twenty-first-century version of Upton Sinclair’s *The Jungle*. It has been fined repeatedly by Nebraska’s

Occupational Safety and Health Administration (OSHA) for safety violations, its managers were indicted for smuggling illegal immigrants, and unions, the clergy, and advocacy groups have denounced the company for conducting a brutal and often illegal campaign to undermine union organizing. This, many argue, further violates the purpose of these subsidies, which are meant to bring quality jobs to Nebraska and must be used for employee training and educational programs.⁵⁸

The business potential of the revived South Omaha community also has been increasingly recognized by city government, as well as a variety of nongovernmental business groups. In 2004, Omaha Mayor Mike Fahy announced plans to build, with the help of private donors, a youth soccer complex to accommodate this growing Latino population after it was unwelcome in pre-existing sports parks owned by the schools. The neighborhood's commercial district has been undergoing a \$3.5 to \$4 million facelift, financed by the city with federal grants, in an effort to capitalize on the area's "tourist" potential. The effort is especially aimed at residents from other parts of Omaha who may not have ventured into the Latino neighborhoods earlier due, in part, to exaggerated fears about crime.⁵⁹

On the flip side, immigrant day laborers in Omaha, while not that numerous (about forty on any given day), tend to congregate in the Plaza de La Raza, which is located in the middle of South Omaha's commercial center. Current plans do not address this issue, and none of the agencies in the community have been able to address it in any meaningful way. The Chicano Awareness Center offers free referral services and conducts an initial screening of these temporary workers for companies.⁶⁰

Anti-immigrant voices in Nebraska often claim that their "only problem is with the illegals" and, at times, the employers who hire them. Indeed, Nebraska's unauthorized migrant population is estimated to be anywhere between 35,000 and 50,000.⁶¹ Our work and the media have documented numerous instances of employers being less than thorough or purposely negligent when reviewing fraudulent documents.⁶² Yet herein lies Nebraska's conundrum: much of the revitalization of business districts, whole industries, and small towns has been spurred by lower-skilled immigrants for whom the U.S. government has not yet created legal work channels. The meatpacking industry, as well as many other Nebraska businesses that employ large numbers of immigrants, have long called for guest worker programs they can access and, more recently, a path to citizenship for many of the families that help stabilize their labor force.⁶³

Immigrant workers have responded by mobilizing on their own. Meatpacking unions have experienced a renaissance thanks to immigrant organizers, many of whom are undocumented.⁶⁴ The marches in spring 2006 became the latest show of rising immigrant political mobilization levels. One could argue that some of these actions could help prevent wages from falling further and might benefit all workers, not just the foreign born.

Questions remain, however, as to the real impact of immigrant labor, particularly when large numbers of unauthorized migrants are present, on the labor market opportunities and wages of the native born. As many academic and governmental researchers have pointed out, and as the above discussion makes clear, immigrants and natives tend to be found in different labor markets, thus they seldom are in direct competition with one another. When competition does exist, it is likely to occur most among those lower-paid immigrants who are crowded into the same labor markets; or among them and minority workers with high dropout rates, particularly African Americans.⁶⁵

Available evidence does not allow conclusive statements here about job competition between African Americans and Latinos. In Douglas County, a metropolitan area where African Americans are concentrated, however, the phenomenon of ethnic industrial niches seems to hold to some extent, which suggests little competition. In 1990, for example, there were already relatively few African Americans working in food manufacturing (6.8 percent). Their presence in the industry was never huge, and by 2000, the proportion had diminished to 4.6 percent. The reverse is true for Hispanic or Latino workers. Conversely, while both of these groups' shares in the educational, health, and social services diminished between 1990 and 2000, African Americans continued to have a disproportionate presence in this industrial sector (23.7 percent). This is true when compared to either their presence in other sectors, as well as Hispanic or Latinos' presence in the same sector. Less than 10 percent of Latinos are found in this sector, down from 17.6 percent in 1990.⁶⁶

When we look at occupations, the proportion of Hispanics in management, which commands the highest median earnings among broad occupational categories, has steadily decreased while that of African Americans has steadily increased since 1990. In 2004, median earnings for full-time, year-round Hispanic or Latino males were about half (\$17,779) of African-American male earnings (\$35,635). In fact, while immigrants find an abundance of jobs in Nebraska, the majority of them earn less than \$20,000 a year. Once again, however, there are significant differences across national origins. As Table 6.7 (page 164) shows, a larger percentage

TABLE 6.6 OCCUPATION BY REGION OF BIRTH OF FOREIGN BORN, NEBRASKA, 2000

OCCUPATION	PERCENT OF ASIA	PERCENT OF MEXICO	PERCENT OF GUATEMALA	PERCENT OF EL SALVADOR	PERCENT OF OTHER CENTRAL AMERICA,		
					SOUTH AMERICA	OF SUDAN	OTHER AFRICAN
Management, professional, and related occupations	39.0	5.4	3.0	2.3	42.1	38.5	43.1
Service occupations	14.3	14.3	9.9	6.7	12.4	0.0	18.7
Sales and office occupations	14.6	4.8	5.5	6.0	16.4	0.0	22.7
Farming, fishing, and forestry occupations	1.0	4.9	0.0	2.5	0.0	0.0	0.0
Construction, extraction, and maintenance occupations	1.8	14.6	10.4	0.6	8.7	0.0	0.0
Production, transportation, and material moving occupations	29.3	56.0	71.3	82.1	20.4	61.5	15.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Office of Latino/Latin American Studies calculations, based on the 2000 Census, Public Use Microdata Sample; Nebraska, U.S. Census Bureau.

TABLE 6.7. EARNINGS BY REGION OF BIRTH OF FOREIGN BORN, NEBRASKA, 1999

EARNINGS	PERCENT OF ASIA	PERCENT OF MEXICO	PERCENT OF GUATEMALA	PERCENT OF EL SALVADOR	PERCENT OF OTHER CENTRAL AMERICA,		
					SOUTH AMERICA	OF SUDAN	OTHER AFRICAN
Less than \$20,000	49.27	59.3	54.0	56.1	56.0	80.7	50.0
\$20,000 to \$49,999	38.15	38.4	41.6	42.7	32.4	19.3	48.3
\$50,000 to \$99,999	10.72	1.9	4.4	1.2	6.4	0.0	0.0
\$100,000 or more	1.86	0.5	0.0	0.0	5.1	0.0	1.7
Total	100.00	100.0	100.0	100.0	100.0	100.0	100.0

Source: Office of Latino/Latin American Studies calculations, based on the 2000 Census, Public Use Microdata Sample; Nebraska, U.S. Census Bureau.

of better-educated groups, such as Asians and particularly South Americans and other Latin Americans (about 11 percent in both cases), than of native born (2.2 percent) are estimated to make more than \$50,000 a year. This upper tier of immigrant wage earners helps reverse some of Nebraska's "brain drain." However, interviews with Venezuelans and Colombians for another project revealed that they, like the Sudanese, are often frustrated at the slow pace of their economic progress. Some cite factors such as an insufficient number of high-wage jobs available and immigration or other legal impediments to using educational credentials obtained in their country of origin.⁶⁷

KEY STATE POLICY RESPONSES

Not surprisingly, employment is the immigrant issue that has received the most attention from the Nebraska unicameral legislature since the late 1980s and early 1990s, when immigrants began to arrive in large numbers. The state legislature has, according to an advocate who follows it closely, "sought to do some things because they've got some leaders that have tried to move the issue of how state policy impacts new immigrants and certainly the communities where they are living."⁶⁸ Importantly, even if not always successful, none of the bills proposed have sought to restrict immigrant rights but, on the contrary, have been crafted in response to concerns over the violation or neglect of those rights.

Table 6.8 (page 166–67) summarizes legislative bills and resolutions that are most directly tied to this issue. Among them are bills and resolutions requesting studies and changes concerning immigrant safety and working conditions, as well as on barriers to their successful incorporation. More recently, senators introduced LR178, a resolution to address growing concerns over the construction industry's use of IRS form 1099 (utilized by subcontractors), which negatively impacts state revenues and undermines workers' safety and labor rights.

Perhaps the most important piece of legislation regarding immigrant workers was a landmark bill spearheaded by these active senate leaders and approved by Governor Mike Johanns in 2003: LB 418, the Non-English Speaking Workers Protection Act.⁶⁹ The bill was aimed at addressing increasing concerns over meatpacking employers' violation of non-English-speaking workers' rights. It brought together elements from an earlier bill, LB20, that, for example, required employers to provide those workers with written statements outlining the terms and conditions of their job, and to make available to those workers a bilingual employee to

TABLE 6.8. NEBRASKA LEGISLATIVE BILLS ON IMMIGRANT EMPLOYMENT

No. LEGIS.	YEAR	LB No.	LR No.	INTRODUCED BY	DESCRIPTION	DATE	
						FIRST READ	FINAL ACTION
93th	1993- 1994	757		Landis	Create the Workplace Safety Consultation Law. To implement the requirement for safety committees to examine workplaces.	1993	Approved by the Governor
94th	1995- 1996	20		Chambers	To provide duties for employers of non-English-speakers of non-English-speaking employees and penalties for those who fail to provide bilingual translators and written statements specifying terms of employment.	1/5/95	Approved by the Governor
95th	1997- 1998	455		Wesely	For an act relating to revenue and taxation. To provide restrictions on employment of unauthorized aliens for purposes of tax incentive programs.	1/16/97	Failed
96th	1999- 2000		282	Vrtiska, Chairperson; Chambers, Dierks, Hilgert, Preister, Schimek.	To initiate a study of the regulation of the immigrant workforce through federal programs operated by the Immigration and Naturalization Services (INS).		
		1363		Connealy, Bourne, Bromm, Chambers, Cudaback, Dierks, Hilgert, Jensen, Kiel, D. Pederson, Preister, Price, Robak, Smith, Stuhr, Suttle, Tyson, Aguilar.	Create the Task Force on the Productive Integration of the Immigrant Workforce Population; to provide for a Meatpacking Industry Worker Rights Coordinator; to provide powers and duties; to create a fund; and to provide a termination date.	1/19/00	Approved by the Governor on April 10, 2000
97th	2001-02	415		Stuhr, Connealy, Kremer, Schimek, Vrtiska.	For an Act relating to farm labor contractors. Change farm labor contractor provisions. To amend the Farm Labor Contractors Act, 48-1707, 48-1709, 48-1711, 48-1712, and 48-1714.	1/9/01	Indefinitely Postponed

No. LEGIS.	YEAR	LB No.	LR No.	INTRODUCED BY	DESCRIPTION	DATE	
						FIRST READ	FINAL ACTION
98th	2003-04	931		Stuhr	For an act relating to labor. To change the Farm Labor Contractors Act provisions. Provide a bilingual employee who shall be available at the worksite for each shift a non-English -speaking worker is employed if the farm labor contractor has a workforce of ten or more non-English-speaking workers who speak the same non-English language. The bilingual employee shall be conversant in the non-English language spoken by such workers.	1/10/02	Approved by the Governor on April 19, 2002
						3/03	
99th	2005-2006	590		Preister	For an act relating to the Nebraska Worker's Compensation Act. To exempt injuries caused deliberately or by the willful negligence of the employer from coverage under the act.	1/15/03	Approved by the Governor on April 2, 2003
						1/18/05	Indefinitely Postponed

Source: Adapted by the Office of Latino/Latin American Studies from the Nebraska Unicameral Legislature Web site, available online at <http://www.unicam.state.ne.us/>.

explain such terms and refer workers to safety net community services. Major impetus for this bill came from a sustained campaign by a workers' committee and advocacy groups to denounce conditions in Nebraska's meatpacking industry.⁷⁰ Media coverage of these conditions helped nudge Republican Governor Johanns into issuing an equally historic Meatpacking Industry Workers' Bill of Rights, now included in LB 418. This bill of rights lists eleven different rights workers should be aware of, with the right to organize as number one. To give it real traction, however, LB20 sponsors required the governor to introduce a full-time meatpacking industry worker rights' coordinator under the Nebraska Department of Labor.

Assessments as to the real impact of the bill vary, and its enforcement is highly uneven. However, most agree that being the only bill of its kind in any state, it is indeed historic. Also, while it may not have fundamentally changed working conditions within the industry, the fact that the governor listed the right to organize as number one tended to empower workers to continue their organizing struggle with particular zeal. Finally, the coordinator's position has been a very positive outcome of this bill, as it does allow workers to report abuses and obtain useful advice.

IMMIGRANTS' HEALTH AND SOCIAL SERVICES ISSUES

You know, that is one of the biggest problems—shortfalls—we have as far as Nebraska is concerned. We try to respond but at the same time, we are pretty restricted by federal guidelines. So it is a problem that a lot of times it is left up to local entities and communities to come up with their own deal. In Grand Island, we have a community free clinic for people in that arena, and it's worked quite well. We don't get any federal or state funding.⁷¹

This quote is a state senator's answer to the question of how the State of Nebraska has responded to increases in refugees and immigrants, especially regarding health and health care issues. Nearly every one of the individuals interviewed about this subject agreed that: (1) the state has been slow to respond but is beginning to pay more attention to the issue; (2) community organizations have, in turn, shown impressive leadership and picked up the slack for state neglect; but (3) community clinics serving immigrants and refugees are unevenly situated and concentrated in more populated communities or regions; and (4) growing health care problems are neither confined to the state nor to immigrants.

Evidence gathered for our study revealed heightened awareness and increased attention to these concerns by health professionals and researchers across the state. Just during the past two to three years, researchers from the state's major medical centers have produced a number of important reports that, mainly through indirect evidence, contribute to our understanding of this issue.⁷² Much of this recent attention has focused on Latinos, the state's largest immigrant and minority population. On May 18, 2006, the University of Nebraska Medical Center (UNMC) teamed up with Pfizer Pharmaceuticals to sponsor a conference entitled "Latino Health Issues for Primary Care Providers: Achieving Better Health Outcomes," the first of its kind in Nebraska.

At the state level, the Office of Minority Health, which functions within the state's Department of Health and Human Services, has also paid increased attention to the immigrant population. The agency was founded in 1991, largely out of concern for the growing AIDS epidemic and how it affects minorities, particularly African Americans. Annual conferences have incorporated specific sessions on the immigrant population since the mid-1990s. However, the office has yet to produce data that are sufficiently disaggregated to reveal an accurate picture of issues uniquely tied to foreign-born status and nationality. The data instead are broken down according to more conventional racial and ethnic categories in which immigrants and nonimmigrants are grouped under categories such as "Hispanic Americans" or "African Americans."

According to our interviewees, some of the most successful efforts, at least in terms of raising awareness through better data collection, appear to be occurring among emerging private/public-sector coalitions. These groups are taking a fresher look at the social and economic complexities of Nebraska's demographics and incorporating them into their research initiatives and recommendations to the state legislature. In 2003, for example, Governor Mike Johanns appointed a twenty-eight-member "Health Insurance Policy" coalition that included representatives from state government, the legislature, the business and insurance sectors, and advocacy and health care organizations. In its first two years, with funding from the U.S. Department of Health and Human Services, the coalition or its subsets produced several presentations and reports. The research was carried out by UNMC and was based on a combination of telephone surveys and focus groups. Especially from the latter we can glean some of the richer information regarding immigrants and health care.⁷³ An interviewee who has coauthored some of these reports stated that:⁷⁴

The findings that the coalition is dealing with pointed out that there are a lot of newcomers in Nebraska who do not understand the U.S. health care system; and a lot of newcomers who may not be or are not documented. So solutions to increase the number of employers who offer insurance or Medicaid and Medicare eligibility really would not help a lot of the newcomers in Nebraska. So the state has opened its eyes to options such as putting federally funded, quality health care centers [QHCC] or QHCC look-alikes in the central part of the state, where demographic information shows us that, especially, the Hispanic population has been booming and increasing very quickly.

As suggested above, local clinics, particularly those that have received federal community health center funding, have been very successful in providing the safety net otherwise absent. One highly successful example is the One World Clinic in Omaha. The clinic was founded in the 1960s by a partnership between the Lutheran Church and Creighton University in order to serve the local Native American population. It was first known as the American Indian Center. As packing plants closed down in the 1970s, the clinic began to serve an influx of Hispanic residents who had lost access to health care. The clinic was renamed the Indian-Chicano Health Center. Today the clinic serves people from thirty-seven countries who speak more than seventeen different languages; in 2003, it again changed its name, to One World.

However, such clinics are largely concentrated in metro areas and, as the respondent above intimated, are absent in the central part of the state where Lexington is located. As regional research has suggested, rural communities suffer from systemic problems, such as a shortage of physicians and qualified interpreters, that tend to discourage existing health providers from serving newcomers.⁷⁵ The lack of qualified translators and culturally appropriate providers becomes a particularly severe problem in these rural and smaller communities. Even county-funded initiatives serving newcomers are disproportionately found in metro areas. This is the case of the Douglas County Health Department, which serves Omaha's metro area. The department has been collecting data of its own and, importantly, has hired a slew of bilingual community liaisons and "promotoras de salud" (health promoters).

Having learned much from these initiatives and especially the findings produced by the insurance coalition, some state senators have pledged to create a task force in advance of proposing legislation that would facilitate proliferation of these clinics or "look-alikes" in underserved regions. Ironically, immigrants themselves could alleviate some

of the health care provider shortages if the state were to exercise the kind of creative initiatives seen in other countries suffering from similar shortages. "There are many people who have a professional degree who work at a packinghouse, or wash windows, or serve in a restaurant because their accreditation doesn't carry over here or they can't pass the boards necessary to be licensed in their fields here."⁷⁶ At least some of these could conceivably be hired as health care workers. Some private colleges have begun to offer courses in health care training that reach a small number of these individuals.

Nebraska's OSHA has led the formation of another coalition that includes Omaha's Mexican Consulate, meatpacking industry representatives, the Nebraska Department of Labor, and the Workers' Compensation Court, among others. Its purpose is to "provide information, guidance, and access to training resources, in an effort to help Mexican citizens working in Nebraska to protect their working conditions and labor rights, including their health and safety." The impetus for this coalition came from the perpetual complaints about high injury rates in the meatpacking and construction industries. OSHA and the meatpacking industry have a separate coalition agreement. The coalition is also part of a larger international agreement signed between Mexico and OSHA in 2004. So far, it is unclear whether there will be any funding and staff to carry out such training and educational campaigns. A major concern among some members of the coalition is that unauthorized migrants may not qualify for these federally sponsored programs.⁷⁷

SALIENT BARRIERS TO IMMIGRANT HEALTH CARE AND RELATED POLICY ISSUES

From published reports and interviews with informed individuals we confirmed much of what the country already knows about barriers to health care among the immigrant population and their various implications in terms of costs and government policy directions. Among such barriers is a lack of health insurance, interpreters, information, and proper documents; the high cost of health care; and lax enforcement of health and safety violations by state and federal agencies.

The majority of immigrants work, but more than a third lacks health insurance. As Table 6.9 (page 172) reveals, 44.78 percent of immigrants from Central America (which includes Mexico) are uninsured. This rate is much higher than that of Hispanics or Latinos as whole, which is about 27 percent. The foreign born as a whole make up about 16.8 percent of the uninsured in Nebraska.⁷⁸

Many employers who hire immigrants do not offer health insurance, especially if these workers have been signed on as independent contractors. Large employers such as meatpacking plants do offer it three to six months after the start date. However, most of the injuries in meatpacking occur during that initial trial period, when workers are unaccustomed to handling knives, easily miss a step on blood-soaked floors and fall, or get injured by carcasses moving at high speed. In addition, as some of these workers have told me and my colleagues during numerous interviews and focus groups, they consider the insurance too costly and the benefits too limited to make it worthwhile to enroll.

Because many newcomers are undocumented, private insurance companies reject their applications. Unauthorized migrants are also ineligible for federal- or state-subsidized health insurance. Moreover, even when families qualify for Medicaid, they underutilize it for fear it may hinder a legalization process down the road. This does not generally apply to refugee groups such as the Sudanese who qualify for Medicaid and are unlikely to compromise their legalization process by enrolling in the program. As Table 6.10 shows, despite widely held views, the foreign born have extremely low rates of Medicaid coverage. About 6 percent of Latinos from Central America are enrolled in Medicaid in Nebraska. National research shows that 70 percent of Medicaid-eligible Latino children are not enrolled.

TABLE 6.9. HEALTH INSURANCE COVERAGE STATUS BY NATIVE BORN AND REGION OF BIRTH OF FOREIGN BORN, NEBRASKA, 2004 (NUMBER IN THOUSANDS)

	PERCENT OF INSURED	PERCENT OF UNINSURED	PERCENT OF NEBRASKA'S TOTAL UNINSURED
Native born	90.0	10.0	83.2
Foreign born	64.5	35.5	16.8
Europe	85.71	14.29	0.5
Asia	90.00	10.00	0.5
Central America	55.22	44.78	15.2
Caribbean	0.00	-	-
South America	100.00	0.00	0.0
Other Areas	85.71	14.29	0.5

Source: Office of Latino/Latin American Studies calculations, based on the Current Population Survey, Annual Social and Economic Supplement, U.S. Census Bureau, 2005.

TABLE 6.10. MEDICAID COVERAGE BY NATIVE BORN AND REGION OF BIRTH OF FOREIGN BORN, NEBRASKA, 2004 (NUMBER IN THOUSANDS)

	PERCENT OF COVERED	PERCENT OF UNCOVERED	PERCENT OF NEBRASKA'S TOTAL UNCOVERED
Native born	10.8	89.2	94.4
Foreign born	5.4	93.5	5.6
Europe	0.0	100.0	0.5
Asia	0.0	100.0	0.6
Central America	6.0	92.5	4.0
Caribbean	-	-	-
South America	-	100.0	0.1
Other Areas	0.0	100.0	0.5

Source: Office of Latino/Latin American Studies calculations, based on the Current Population Survey, Annual Social and Economic Supplement, U.S. Census Bureau, 2005.

Uninsured immigrants who also lack access to community clinics, as is the case in Lexington, often have no choice but to postpone care, return home to heal, or rely fully on nontraditional medicine. Frequently, their only access to formal care is through a hospital emergency room. Such visits raise health care costs and place particular strains on new gateway destination communities.

In 2003, the estimated shortfalls in Medicaid payments for all 94 hospitals in Nebraska were \$127.7 million.⁷⁹ According to a press interview given by the administrator of public assistance for the Nebraska Health and Human Services, Medicaid reimbursed providers \$1.3 million for life-saving emergency care given to thirty-three unauthorized migrants in that year. He added that there were about 122 requests in 2004, but most applications for such emergency care for “aliens” are either disqualified or paid by other sources.⁸⁰

Linguistic barriers create their own funding and access constraints. Local colleges have expanded courses to train translators; however, state government has been fairly absent from this arena. Instead, groups such as the Medical Translating and Interpreting Leadership Committee have provided leadership in this issue, and from them we learn about the state's level of involvement. In one of the focus groups with health care providers conducted by this organization, the discussion about costs of and access to translation was revealing:

The big elephant in the room was the lack of consensus about who was responsible for paying for it. Yet the federal government clearly says that if you receive a dollar of federal money, your agency is responsible. But physicians and providers would say to me, "Oh, no, not me." We had patients going into clinics and the clinic would bill them for the interpreter services. We had others resenting patients. We had private providers refusing to take Medicare patients because they did not want to receive federal funding so that she would not have to deal with interpreters. We also found that reimbursement rates for interpreting were quite low, and Nebraska, as a state, had not applied for the funding because it is a matching program and it gets into your budget issues statewide really quickly.⁸¹

Among some of the most serious health issues affecting this community and receiving the least attention, mental health services was ranked at the top by our interviewees. This area is also where the absence of bilingual providers is most serious and its consequences most severe.

As in the rest of the nation, Nebraskans ponder if, or outright assert that, immigrants are major contributors to rising health care costs, given their high rates of uninsured. While there is no conclusive evidence, it is clear this issue is much larger than an immigrant problem. As many of the reports cited here point out, most of the uninsured in Nebraska are non-Latino whites and work in smaller businesses that offer no insurance. In addition, as interviewees pointed out, federal budget cuts affecting low-income people's access to health care services are impacting all Nebraskans, not just immigrants.

Individuals interviewed for this project gave Nebraska between a C- and a D+ for its response to immigrants' health care needs. While only one respondent thought state policies were aimed at excluding immigrants, most thought the state was negligent by failing to address the issues head on. No legislation has specifically addressed any of these issues directly. Indirectly, LB 692, approved by the governor on May 16, 2001, has allowed the UNMC and other groups to pay increased attention to the immigrant population in their research and to offer specific recommendations to the legislature.⁸² All agree, however, that health care is a highly neglected issue.

HOUSING ISSUES AND POLICIES AFFECTING NEBRASKA'S IMMIGRANTS

Nebraska rural communities were caught off guard when meatpacking companies announced plans to open large plants that would higher upwards of 1,200 workers in some cases. Some of these communities ordered new

housing studies. Company employment projections often fell short of actual hires and so did housing. To house workers, the companies leased or subcontracted with trailer courts, communities established transitional or “homeless shelters,” for their first time in their history, and workers crowded in small rental houses. In some cases, as in Lexington, Nebraska, the absence of a pre-existing ethnic enclaves and low-income “projects,” created a de facto “scattered-housing” approach to addressing the sudden population growth. The state has been fairly removed from explicit efforts to address the housing issues associated specifically with new immigration. The legislature has not passed any bills that deal specifically with this issue, albeit bills. There are no legislative bills that have directly addressed the impact of new immigration on housing.

The majority of Nebraska's immigrants (57.4 percent) live in rental units, even though home ownership rates among the foreign born, including Latino families of modest means, have been increasing in lock-step with national trends.⁸³ In fact, researchers correctly point out that living in new immigrant gateways, where housing prices are below national averages, doubles the likelihood of home ownership for immigrants.⁸⁴ Whether they rent or own, new immigrants and refugees face a unique set of fair housing issues in Nebraska. The policies aimed at addressing these issues have been less salient and slow to emerge. However, some working in the area of housing discrimination believe the state has finally begun to respond ten to fifteen years after immigrants began arriving in earnest:

The state of Nebraska I think it's just starting to do that. You have the Department of Economic Development at the state level, and they have been working on some things . . . trying to do research and analysis on fair housing impediments. In the comprehensive plan for different cities like Omaha and Lincoln there wasn't much addressed for new immigrants. However, right now, we just started to see all of that because of the requirements for either CDBG grants or HUD to include fair housing issues.⁸⁵

Among impediments to fair housing identified by the Nebraska Department of Economic Development that most directly affect the newcomer population, we find: (1) a scarcity of affordable housing, (2) discrimination, and (3) local planning and zoning ordinances or, more important, institutionalized “customs and practices” that may or may not be officially sanctioned.⁸⁶ Advocates and others working with nonprofit organizations have examined some of these complex issues and point out additional

barriers to fair housing that new immigrants face. These include a lack of education about tenant rights and responsibilities, access to credit, predatory lending practices, language barriers, unscrupulous realtors and landlords, and lack of documentation. In answer to the question of whether there were any issues related to affordable housing affecting the immigrant population, a director of a nonprofit housing program said:

Yes, there are many. One, decent apartments often require, because of Omaha's collective living laws—I forget the exact name of the law⁸⁷—you have to have a police background check before you can rent and that requires a social security number. Therefore, without a social security number, you are prohibited from some of the better apartment complexes, which means people are left with no choice but to go to the older apartment stock and this kind of converted mansions in older parts of the city. Because of that, people are living, cooking in areas that are just meant really for sleeping. And that, in and of itself, produces overcrowding of people that live in apartment complexes. If someone does have [legal] status, you may find five or six others who don't, which is in violation of rental agreements. [Another] common problem is that associated with trailer homes, because not all the contracts are understood or signed. And then there are the subleases that go on in apartments all the time, but our community only has to be informed of the primary contractor according to U.S. and Nebraska contract law.⁸⁸

Refugees face similar as well as unique sets of housing issues. For example, according to some interviewees, their distrust of government makes them less likely to report abuses on the part of landlords or real estate agents. Alleged differences in cultural practices and larger than average families often conspire against preexisting occupancy ordinances and may provoke discriminatory practices. In a meeting with U.S. Representative Tom Osborne, some argued that they were evicted because their children were roaming around without supervision.⁸⁹ One of our respondents, a law enforcement agent, also pointed out the unique problems his small town is encountering regarding the Sudanese refugees:

If I can be real blunt about this, it's a hygiene issue. These folks don't care if their water is shut off because they are not used to having it. Cockroaches infest their living quarters traditionally. And the Latinos

don't like it; they are not used to that. They [the local health department] have just recently condemned one of the apartment buildings here because of cockroach infestations.⁹⁰

Immigrants living in the smaller meatpacking communities and cities tend to face higher levels of overcrowding, poor housing quality, costs, and discrimination. Local governments are typically less institutionally and politically prepared than their urban counterparts to address these issues. However, experiences vary from community to community, depending on local histories and ensuing attitudes, the degree of proactive leadership and advocacy among governmental and nongovernmental agencies, and even the role university researchers may have had in highlighting some of the issues early enough in the process.⁹¹

When looking at the three zip codes in South Omaha (68105, 68107, and 68108) where immigrants are heavily concentrated, "overcrowding" and "severe overcrowding" rates are three to four times as high as the city as a whole, particularly among renters. Among renters, overcrowding rates for Omaha and the three selected zip codes are 3 percent and 5.3 percent respectively. Severe overcrowding rates are 3 percent for Omaha and 8 percent for the three zip codes with heavy Latino concentration.⁹² Such rates, however, pale in comparison to meatpacking towns such as Lexington. In Lexington, home to Tyson's second largest meatpacking plant (employing about 2,400 mostly Latino workers), 15.38 percent of the housing units suffer from overcrowding, compared to a 2.7 percent statewide average and 3.7 percent in the three Omaha zip codes. Between 1990 and 2000, Omaha grew 16.14 percent and increased its housing stock by 15.40 percent. During the same period, Lexington grew by 51.66 percent but increased its housing stock by a mere 17.05 percent.⁹³

In terms of costs, communities such as Grand Island, home to the state's largest meatpacking plant, employing some 2,600 workers, have experienced the highest price increase for single-family homes in recent years.⁹⁴ Speculation in real estate markets that victimize immigrants have been documented sporadically, but never systematically, by researchers and state agencies.

Despite some dire statistics, conditions and availability of low-cost housing in smaller meatpacking communities have improved somewhat since the early 1990s, when immigrant workers began to arrive. Similarly, ordinances aimed at discouraging immigrants from renting or owning in certain parts of the city or particular housing complexes, as was the case in Lexington circa 1990, were slightly more common during these

earlier years.⁹⁵ While this report does not provide a complete survey of these ordinances, anecdotal and case study evidence suggests that these efforts have often been unsuccessful. In 1998, for example, a proposed change in Schuyler's occupancy ordinance from "family plus four unrelated persons" to "family plus two unrelated persons" failed after several hearings.⁹⁶

More recently, efforts by old-timers to keep immigrants at bay have involved strategies such as rezoning rural or leisure land outside the city limits or an outright exodus from the general area. It is hard to determine whether prejudice against Hispanics or truly objective assessment by older residents regarding their community's deteriorating economic opportunities, schools, and overall quality of life play a more important role in prompting middle-class whites to leave.⁹⁷ What research in states such as California has made clear, however, is that the concentration of large numbers of low-wage Latino workers in non-metro communities often results from this exodus. It is the interaction of these two phenomena, not the simple arrival of large numbers of low-wage workers, that can have devastating consequences for the towns the long-term residents leave behind. The quality of housing, specifically, can deteriorate rapidly under such demographic imbalances.⁹⁸

Nebraska's vast land mass and extremely low population density, even in urban areas, is unlikely to fuel the kinds of housing battles seen in other immigrant destinations such as Georgia, New York, or Boston.⁹⁹ However, this chapter has barely scratched the surface of the myriad of cumulative issues that, if left unaddressed, can have serious long-term consequences for the economic vitality of immigrant destinations and the state as a whole. Interviewees gave the state relatively low grades in its efforts to respond to the housing needs of immigrants (between a C and an F). Graded differently, respondents favored the term "negligent" (rather than "inclusive" or "exclusive") when judging government policies' approach toward immigrant incorporation initiatives. Some of the state-level efforts mentioned by respondents were limited to the aforementioned work of the Nebraska Department of Economic Development to identify and document barriers to access to affordable housing, including those faced by new immigrant communities.

There are a number of important new initiatives that suggest a new level of active response to the housing issue. Most of those actions, however, seem to be taking place at the level of individual agencies (federal dependencies or nonprofit), but there is little detectable and focused policy effort at the state level:

Like I said earlier, our agency, it's like the agencies that are required because of funding to look at these issues, we do that already. But like our legislature and the governor, those folks, we need to be able to have some policies that are put in place [at that level]. So I think there is maybe some indifference or negligence. It's like OK, we've heard that these kinds of things are going on, but because we hear about certain things happening in one particular community, but there is no connection that is made to other areas, so there aren't policies that I have heard of, that they are working on for the betterment of the refugees and the immigrant community. The one I have to give credit to was that legislative task force on immigrant integration; that was wonderful.¹⁰⁰

Among some of the most active local organizations paying increasing attention to the immigrant and refugee housing issues are the Nebraska Equal Employment Opportunity Commission (EEOC), the Omaha Housing Authority, Lincoln's Urban Development Department, Grand Island's Multicultural Coalition, Sudanese resettlement and assistance agencies, and a bilingually staffed South Omaha satellite office of the Family Housing Advisory Services. The latter was chartered by the State of Nebraska in 1968 to assist low-income residents with a variety of housing services and programs. In the early 1990s it developed a Fair Housing Center, which was instrumental in passing fair housing legislation in Nebraska that, while not aimed directly at immigrants, benefits this population as well.

Finally, a number of private or semiprivate entities such as banking institutions, Fannie Mae, and the Nebraska Investment Finance Authority (NIFA) have been retooling themselves to capitalize on the growing immigrant housing market via increasing educational and loan assistance programs.

IMMIGRANT EDUCATION IN NEBRASKA

Unquestionably, the arrival of large numbers of immigrant workers and their children during a short span of ten to fifteen years has been especially challenging for local schools. Government policies aimed at addressing those challenges will have enormous consequences for the economic progress of both the immigrant community and the state as a whole. The extent to which this mutually intertwined economic destiny is successful hinges in part on intervention programs capable of

reversing patterns such as high school dropout rates before they become too entrenched. By 2000, more than 70 percent of Mexican, Guatemalan, and Salvadoran foreign born that were twenty-five years and older had not graduated from high school. Percentages were much lower for Asians (25.2 percent), Sudanese (33.8 percent), and particularly South Americans and other Latinos (12.2 percent), as well as other Africans (6.4 percent) who compared favorably to the rate for native-born Nebraskans who did not graduate from high school (11.7 percent).¹⁰¹

Policymakers are faced with the daunting task of quickly moving the second generation onto a college-bound path, a process that previous generations of immigrants were able to pursue at a much slower pace.¹⁰² In fact, policymaking regarding immigrant education has been almost as active as that for immigrant employment in the State of Nebraska. For a summary of legislative bills pertaining to immigrant education, see Table 6.11 (pages 181–83).

THE IMPACT OF IMMIGRATION ON SCHOOLS

About 10 percent of Nebraska's foreign-born population of 83,226 were between the school ages of five and seventeen years old in 2004. Enrollment figures are far more revealing of the true impact this newcomer population and their children (the foreign-stock population) has had on the state's and schools' growth. Unfortunately, Nebraska does not disaggregate school data by foreign born, let alone generational status, using instead conventional, federally based racial and ethnic breakdowns. This constitutes one of the first problems one encounters when attempting to track the impact of the new immigrant population on schools and educational policies.

While not a perfect indicator of the presence of foreign-born students in local schools, percentages of students enrolled in English as a second language (ESL) programs are revealing. In the 2000–01 academic year, 3.7 percent of Nebraska public-school students were English language learners (ELL). By the 2004–05 academic year, the proportion had increased to 5.78 percent. Small meatpacking communities enroll a disproportionate number of ELL students. Schuyler grade schools, for example, enroll more than 30 percent ELL students in any given year (33.8 percent during 2004–05). Omaha public schools enroll the largest proportion of ELL students in the state, with the numbers increasing from 7.5 percent to 12.86 percent between 2000 and 2005. Omaha public school students enrolled in ESL come from sixty-two different countries

TABLE 6.11. NEBRASKA LEGISLATIVE BILLS ON IMMIGRANT EDUCATION

No. LEGIS.	YEAR	LB No.	LR No.	INTRODUCED BY	TITLE	DATE FIRST READ	FINAL ACTION
95th	1997- 1998	389		Rod Withem, at the request of the Governor	It requires that the University of Nebraska to be among the top 50 percent among the Board of Regents' peer institutions in the employment of women and minority faculty members.	1997	Approved by the Governor on May 28, 1997, with line-item veto.
		1301		Bohlke	To provide for identification of students with limited English proficiency to harmonize provisions, and to repeal the original section.	1/22/98	
96th	1999- 2000		110	Schimek, C. Peterson	Interim study to reauthorize the Select Committee on Gender and Minority Equity.		
			489	Kristensen	To comply with legislative intent contained in the LB 1217, 96th Legislature, Second Session, section 102, which requires a study of the recruitment, development, and retention of minority and women faculty members at the University of Nebraska. This study relates to provisions contained in Laws 1997, LB 389, section 156, requiring the University of Nebraska to be among the top 50 percent among the Board of Regents' peer institutions in the employment of women and minority faculty members by August 1, 2002.	2000	

TABLE 6.11. NEBRASKA LEGISLATIVE BILLS ON IMMIGRANT EDUCATION (CONTINUED)

No. LEGIS.	YEAR	LB No.	LR No.	INTRODUCED BY	TITLE	DATE FIRST READ	FINAL ACTION
		1217		Kristensen, at the request of the Governor	Provide for deficit appropriations. To include in the appropriation of \$500,000 for FY2000-01 for the recruitment, development, and retention of minority and women faculty members at the University of Nebraska. It is further intended that the legislature study the issue of recruitment, development, and retention of minority and women faculty members at the University of Nebraska	1/12/00	Approved by the Governor on March 30, 2000, with line-item vetoes overridden April 3, 2000.
		1379		Chris Beutler	Adopt the Minority Scholarship Program to serve as a temporary measure for the purpose of eliminating the statistical disparity between the representation of full time Black, American Indian, and Hispanic minority students in the undergraduate population of the University of Nebraska, the state colleges, and community colleges.	1/20/00	Approved by the Governor on March 10, 2000.
97th	2001- 2002		329	Schimek, Synowiecki, Connealy, Preister, Aguilar	Review Nebraska laws that prevent undocumented immigrants from qualifying for resident tuition.		
		955		Schimek, Aguilar, Beutler, Byars, Connealy, Cudaback, Kruse, Landis, Dw. Pedersen, Preister, Robak, Smith, Synowiecki	Change resident postsecondary tuition provisions.	1/10/02	Indefinitely postponed.

No. LEGIS.	YEAR	LB No.	LR No.	INTRODUCED BY	TITLE	DATE FIRST READ	FINAL ACTION
98th	2003- 2004	152		Schimek, Aguilar, Byars, Connealy, Kruse, Dw. Pedersen, Preister, Synowiecki	To give undocumented immigrants the opportunity to pay in-state tuition at post-secondary institutions	1/10/03	
			174	Johnson, Thompson, Bromm, Synowiecki, D. Pederson, Engel, Schrock, McDonald, Cudaback, Beutler, Jensen, Raikes, Erdman, Bourne, Smith, Stuhr, Byars, Kruse, Price, Maxwell, Hartnett, Brashear, Wehrbein	To review public higher education financing in Nebraska to account for demographics		Enacted
99th	2005- 2006	239		Schimek, Aguilar, Combs, Kruse, Preister, Synowiecki	Permit certain students who attended Nebraska high schools to establish residency.	1/10/05	Passed over on the Governor's veto on April 13, 2006.
			75	D. Pederson	To review the recommendations of key priorities set forth by the LR 174 Task Force in 2003 for the state's system of postsecondary education.	4/11/05	Enacted.
		1024		Reikes	Provide for learning communities.	1/10/06	Approved by the Governor on April 13, 2006.

Source: Adapted by the Office of Latino/Latin American Studies from the Nebraska Unicameral Legislature Web site, available online at <http://www.unicam.state.ne.us/>.

and speak fifty-nine different languages, although the majority (85 percent) speaks Spanish. Second to Spanish are Nuer and Arabic, spoken by Sudanese refugees.¹⁰³

Given the preeminence of Hispanics/Latinos among the foreign-stock population, enrollment figures showing their present and projected enrollment serve as additional measures of immigrants' impact on the school systems.¹⁰⁴ In the 1990–91 school year, for example, Latinos made up 6 percent of Lexington's student population. By 2002–03, Latino enrollment had increased 1,732 percent, bringing it up to 67 percent of the school population. In 2006, the number is 74.7 percent. In some of the meatpacking communities, the increases have been upward of 3,000 percent during the same period.¹⁰⁵ As Table 6.12 shows, the change in Hispanic/Latino enrollment between 1990 and today is even more dramatic. Population projections suggest that Latinos will make up more than 22 percent of Nebraska's school population in about ten years.

Nebraska's schools enjoy a good national reputation. That has certainly been justified when reviewing the Herculean efforts most school districts have made to address the educational needs of their new student population. That is not to say that all in Nebraska are happy with these school efforts. Some community members harbor great resentment toward newcomers and what they perceive are the major costs and negative impacts they have on the schools. Voters in Schuyler, for example, have four times defeated school-bond initiatives to build a new elementary school. At the moment, trailers are used to address the student population increase.¹⁰⁶

Small-town school districts struggle most to find qualified ESL teachers. As a palliative answer, local colleges have expanded class offerings for existing teachers and assisted with recruitment among minorities who may wish to teach ESL. Schools in small as well as larger metro communities have established a wide array of special programs to address those needs. These include cutting-edge, dual-language programs in at least two school districts, family resource centers and the teen literacy programs in the Omaha Public School District, bilingual home-school liaisons in several languages in the larger schools, and newcomer and cultural diversity centers across the state.¹⁰⁷ Several of our interviewees mentioned these as examples of successful programs related to the education of immigrant children.

At the state level, the Nebraska Department of Education has expanded some of its technical assistance resources to help schools address issues related to ELL students, such as developing proficiency assessments required

TABLE 6.12. PERCENTAGE OF HISPANIC/LATINO ENROLLMENT INCREASE BETWEEN 1990-91 AND 2005-06 ACADEMIC YEARS, IN SELECTED DISTRICTS

DISTRICT	PERCENT LATINO/HISPANIC ENROLLMENT DISTRICT 1990-91	PERCENT LATINO/HISPANIC ENROLLMENT DISTRICT 2005-06	PERCENT LATINO/HISPANIC ENROLLMENT INCREASE BETWEEN 1990-91 AND 2005-06
Bellevue Public Schools	3	7.3	175.9
Columbus Public Schools	0	22.2	5033.3
Grand Island Public Schools	6	34.7	530.0
Kearney Public Schools	3	8.8	221.9
Lexington Public Schools	6	74.7	2018.6
Lincoln Public Schools	2	6.2	320.0
Norfolk Public Schools	2	20.9	1245.2
North Platte Public Schools	8	11.4	33.1
Omaha Public Schools	4	21.2	494.6
Schuyler Central High School	1	52.1	5700.0
Schuyler Grade Schools	6	78.2	1744.4
Scottsbluff Public Schools	5	32.9	8.5
South Sioux City Community Schools	9	51.4	699.6

Source: Lourdes Gouveia and Mary Ann Powell, with Esperanza Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska: A Statistical Profile to Inform Policies and Programs," Office of Latino/Latin American Studies at the University of Nebraska at Omaha, 2005. "2005-2006 Membership by Grade, Race, and Gender," retrieved May 5, 2006, available online at <http://ess.nde.state.ne.us/DataCenter/DataInformation/Downloads/0506/MEMBGRADE.pdf>.

by the No Child Left Behind Act. There also have been efforts to increase understanding of Nebraska's demographic changes, how they impact schools, and what policies are needed to address new students' needs. Most prominent among such efforts has been the organization, in collaboration with the Mexican American Commission, of annual Latino Education Summits. These meetings bring together hundreds of practitioners, researchers, and policymakers concerned with this issue. To my knowledge, the state has not followed up with specific policy initiatives, nor has it organized similar forums to deal with issues faced by other immigrant or refugee groups. The Mexican American Commission, whose offices are in Lincoln, the state capital, is highly involved in policy initiatives with the legislature and participates regularly in hearings. It has spearheaded the creation of several legislative task forces that have, in turn, commissioned studies on the immigrant population such as the one resulting in the Office of Latino/Latin American Studies report referred to earlier.

KEY EDUCATIONAL POLICY ISSUES

Lack of funding to educate the influx of immigrant children into local schools has risen to the top of the state's education policymakers' agenda and evolved into a particularly thorny issue, eventually attracting national attention. As a stop-gap measure, schools have availed themselves of federal grants and other innovative strategies in order to meet these populations' unique needs without delay: "We've been aggressive in looking for grant funds to support our students. In addition, we try to partner with businesses; for example, the First National Bank of Omaha has given us a place to provide educational services to families in South Omaha, at no cost to us."¹⁰⁸ Many of these initiatives also reflect a heightened awareness on the part of schools that serving students requires working with parents to eliminate structural barriers (language, unfamiliarity with the educational system, unwelcoming attitudes), which research shows account for their lower level of participation in their children's school and educational activities.¹⁰⁹

School funding strategies, however, have now moved beyond the school district level and into the legislature and the courtroom. Two lawsuits were filed against the State of Nebraska by more than fifty school districts charging that the state aid-to-education formula under-funds the needs of ELL and poor and minority students as a whole, and it is therefore unconstitutional.¹¹⁰ As one ESL teacher put it: "The state

allocation is about 1.25 for each ELL student. Now, that helps, but it does not cover the total cost of educating our students. We have done studies showing that we should be getting 2.0, meaning that an ELL student is really equivalent to two non-ELL students, because the cost of educating these students is greater.”¹¹¹

A parallel strategy has been for many of these same school districts to pursue annexation and district consolidation. The move has encountered fierce resistance from suburban and rural areas. The current governor of Nebraska, Dave Heineman, attempted to veto, and rural voters tried unsuccessfully to repeal, LB 126, a law passed in June 2005 forcing the merger of small rural (Class I) school districts with larger K–12 schools.¹¹² New petitions to place the issue on the ballot for November 2006 are now circulating, and Governor Heineman made the repeal a central issue of his primary election campaign for reelection in May 2006. On the surface, and indeed for many who want the law repealed, the issue is simply about preserving small country schools and the quality education they purportedly provide. However, as a social policy expert we interviewed pointed out, many believe the rural school issue is intertwined with an emerging trend of “white flight” occurring in meatpacking communities. He argues that in places such as Madison and Lexington, long-time residents are moving to the outskirts of town, where they hope to resurrect some of these moribund rural schools and effectively divide the town and its schools along ethnic lines.¹¹³

The debate over school district consolidation reached its highest point when the Omaha Public School Board voted in 2005 to annex large sections of three suburban school districts (Millard, Ralston, and Elkhorn). The board argued that this move is necessary if the district is going to halt the continuous erosion of its tax base and meet its obligation to the increasing number of ELL and low-income students it serves. More than half the students enrolled in Omaha public schools qualify for low-income subsidies, while less than 8 percent of Millard students fall under that category. Most of Omaha's ELL students are also enrolled in Omaha public schools.¹¹⁴ Omaha's “One City, One School District” proposal sparked a major and often rancorous debate among its and the suburban districts' superintendents, parents, boards, and student bodies. Suburban districts countered with an informal proposal of their own; it was based on free transportation for and active recruitment of minority children residing in neighborhoods such as South-Omaha who may wish to “opt into” these suburban schools. An “Option Enrollment” law that has been on the books since 1989 allowed for free transportation for

low-income students wishing to opt out of their school districts, as long as space was available. However, some suburban superintendents had never heard of the law; others argued that the state should pay for transportation, not the schools; some had no extra space; and others had already offered the option with little success. The majority of the students who opt out of Omaha public schools and into suburban schools are non-Hispanic whites. A similar program in Minneapolis resulted in a major loss of students within its core district.¹¹⁵

All the discussions became moot when the Nebraska legislature went against the current and introduced LB 1024, a law that would split the Omaha Public School District into three districts rather than endorse further consolidation. The districts will be drawn largely along the racial and ethnic divisions separating Omaha's neighborhoods and their corresponding high schools. Particularly surprising to some was that the author of the plan was the highly respected Senator Ernie Chambers, the only African-American senator in the legislature and an avid defender of minority rights. While no friend of suburban schools, which he has often accused of fostering white flight, Chambers had long been frustrated with the Omaha Public School District's inability to end segregation and, also, with minority parents' lack of control over their neighborhood schools. Schools, he argued, were already segregated and the "One City, One School District" proposal did not hold sufficient promise of reversing that trend. Breaking up the district along pre-existing racial and ethnic boundaries would give black, Latino (most of them newcomers), and low-income white parents more control over their children's education, he argued. Although he was referring to black children during recent comments he made to a newspaper, Chamber's argument is consistent with some research on the second generation, which shows that low-income, immigrant children do better in schools attended by a large number of coethnics and supported by their ethnic community:

You can't tell me what integration is and I can't tell you what it is. And if people are so resistant to it, what is going to happen to this one child? Talk about bullying and mistreatment. Why should a child be subjected to that? It would be much better to bring the education where the children are: Where they have a support system; where they are in familiar surroundings, where it is necessary to seek refuge, they don't have to wait until their parents find transportation somehow.¹¹⁶

The funding issue was purportedly addressed through a compromise that allowed for the incorporation of a "learning community," which

had been proposed by the chairman of the legislature's Education Committee, Senator Ron Raikes. This overarching bureaucracy will envelop and supposedly equalize funding among all the metro school districts. How all this will actually work is anybody's guess.¹¹⁷

The bill received major support from rural and suburban senators and was signed into law by Governor Heineman, who had opposed the "One City, One School District" proposal early in the debate. Many attribute Heineman's win over U.S. Representative Tom Osborne in the Republican primary to his stand on the three key education issues that are partly or totally intertwined with immigrant education: LB 126, LB 1024, as well as LB 239, the bill that made undocumented children of immigrants eligible for in-state tuition. Opponents have called the bill "state-sponsored segregation" and on May 16, 2006, the NAACP Legal Defense and Education Fund (LDF) filed a lawsuit against the state challenging LB 1024.¹¹⁸

A few other policy issues were highlighted during our interviews, including the need for additional ESL classes for adults in the community. The state has never really addressed this issue, and its importance is now underscored by immigration proposals demanding that immigrants "assimilate" and learn English, but without a clear awareness of the limited opportunities they have to do so. One of the senators we interviewed raised a different issue, which he has been working on with the Omaha Public School District superintendent: "To increase the number of social workers in schools because I don't see this [special needs of immigrant students] as just an isolated educational situation; I also see it as a family dynamic."¹¹⁹ The implication here is that school failure is highly associated with family structure. While not totally false, in tracking this public discourse for a long time, I have often detected a disturbing bias among policymakers to resort to the simplistic view that immigrant families' lack of educational aspirations are to blame for their children's educational achievement gap. Plenty of research challenges this assumption.¹²⁰ The governor's educational summits, where many of these findings are discussed, do not seem to have affected that bias among some high-ranking policymakers.

HIGHER EDUCATION

College graduation rates follow patterns similar to those found in other indicators of social and economic status. In other words, foreign- and native-born Mexicans and Central Americans in Nebraska are much

less likely to have finished college than any other population group, except for Native Americans.¹²¹

The first question posed to our interviewees was if they thought the state was doing enough to address these worrisome trends and special challenges posed by the new immigrant population. Here is one top university administrator's response:

I think Nebraska has not had a lot of time to respond to fairly dramatic changes, particularly with regard to the Latino immigration. I think their response is to be observed; there hasn't been much response thus far. I wouldn't say none, but not much. The most positive response has been the Nebraska equivalent of the Dream Act that was passed in the last legislative session; of course it didn't pass in the previous session, but that is the most positive response from my perspective. I think there is honest and serious concern about the need to respond, particularly in the K-12 schools, to the increased concentration in certain communities of Hispanic children. We've had some conversations with the K-12 superintendents in greater Nebraska about finding ways to stimulate greater interest in higher education amongst these high school students.¹²²

Indeed, LB 239, the equivalent of the national Dream Act proposal, has been the most notable policy action taken by state senators with regard to immigrant education. As mentioned earlier, Nebraska joined just nine other states that have enacted similar laws, and it does not appear that it will meet with any court challenges. However, LB 239 does not address remaining barriers such as lack of access to financial aid. The law is silent on that issue, and no one is sure yet whether it will allow the state to offer financial aid to undocumented students.

Governor Heineman's vocal opposition to LB 239, as well as his position on some of the other laws discussed above, raises questions for some about his level of commitment to the specific issues facing Latino parents and their children, as opposed to his overall commitment to Nebraska education. He recently was criticized for not including any representatives from the Latino community on a newly formed Nebraska Educational Leadership Council. The council will "encourage educational policies to help prepare our students" to meet the challenges posed by a technologically advanced society. Some of our interviewees viewed the criticism as unfair and argued that Latinos and other minorities, who face the widest gap in meeting those challenges, are represented in a broader and more important group, the P-16 (pre-school

through college) initiative steering committee. A representative of the P-16 initiative informed us that "because the Nebraska P-16 Steering Committee is made up of the executives of education, business, and government organizations, the group tends to be dominated by white, mostly male people. The agreement that formed the committee, however, provides for allowing additional members to join the Steering Committee with the approval of the existing committee members." The twenty-eight-member committee approved the nomination of one member of the Latino community, the executive director of the Mexican American Commission.¹²³

A related issue, implied by the P-16 representative above, is the lack of sufficiently educated, high-level professionals from the immigrant community in new destination states such as Nebraska. This poses special challenges to higher education and related institutions attempting to introduce proven methods to address educational gaps in this population. As a university administrator put it: "We have a pipeline issue in Nebraska. And it is more serious than in Texas or California and New York where the [immigrant and Latino] population is larger and more developed and longer in existence." However, despite this small pool from which to recruit faculty, representatives to government, and business employees, he agreed the state and the universities could be doing more and be more "creative about this."¹²⁴ The report from the Office of Latino and Latin American Studies mentioned earlier confirms the minimal presence of Latino faculty and staff in Nebraska educational institutions.

Finally, we asked interviewees to grade how the state was doing with regard to its role in addressing the growing presence of new immigrants in Nebraska's educational system; they gave the state a D average. When asked if they thought state policies tended to be "exclusive," "inclusive," or "negligent" in its efforts to facilitate educational achievement for new immigrants, most answered negligent.

As with health, and as one of our respondents quoted earlier suggested, maybe we are catching the state at a time when it is just waking to the reality of this population and its potential impact on every aspect of the state's future socioeconomic and political landscape. There is no question that policymakers understand that high dropout rates, accompanied by a brain drain of highly educated Nebraskans, need to be addressed with urgency. What is not yet clear, in this largely non-Hispanic White state, is how much policymakers understand the complexity of factors contributing to those trends among the new immigrant population. The reluctance to call upon, or exercise sufficient political

will to expand, the pool of linguistically and culturally appropriate experts is sometimes puzzling. While being a member of the immigrant community does not in itself qualify anyone to speak for that community, some of us believe there is also a fear among well-entrenched people in positions of power of allowing those who enjoy credentials and respect to do so.

LAW ENFORCEMENT AND THE NEW IMMIGRATION

Law enforcement policies directed at new immigrants have not occupied a particularly prominent place in the agendas of Nebraska's policymakers. That is not to say that the state has been devoid of activity in this arena. On the contrary, Nebraska has been an important testing ground for interior enforcement initiatives, particularly with regard to employment and immigrant smuggling. Although formally falling within the purview of the federal government, these initiatives often have been assisted and, at times, encouraged by state and local enforcement agencies. Thus the first issue I examine in this section concerns the approach taken by local law enforcement agencies toward the purportedly undocumented immigrants they encounter or seek out in the course of their work. The issue acquires special significance as the U.S. Congress entertains bills that are likely to expand the immigration enforcement roles of police, highway patrols, and other local agencies.

The second issue I will discuss briefly is Nebraska's driver's license requirements, particularly the changes to them as a result of September 11. Data for this section are drawn from interviews, archival material, previous research, and transcripts from a one-day conference organized by the Office of Latino/Latin American Studies and the Police Professionalism Initiative at the University of Nebraska at Omaha.

LOCAL ENFORCEMENT OF FEDERAL IMMIGRATION POLICY

Nebraska law enforcement agents forcefully maintain, and most immigration advocates agree, that they do not enforce or have any interest in enforcing immigration laws. Playing such a role, they argue, would erode trust within the community and deplete resources needed to pursue serious crimes. If a person is unable to produce identification during a routine stop, the procedure is the same for all:

Just like anyone else, they can be placed under arrest and taken to Central and fingerprinted. We do accept the Matrícula for traffic stops. If they do not have ID, sometimes we give them a ticket for no operator's license or something. We will not contact ICE on simple traffic stops. The only time we may contact ICE—and ICE follows up anyway because they look at arrest records—is if it is a gun conviction or a gun crime.¹²⁵

We don't care whether they are undocumented, and it may sound kind of cold putting it that way, but if we stop somebody who does not have sufficient identification, we don't care if they are Polish or Mexican if we can determine their identity to a degree that we are comfortable with. We'll issue a citation and release them in lieu of arrest.¹²⁶

Nebraska law enforcement agencies have also not signed memorandums of understanding with Immigration and Customs Enforcement (ICE).¹²⁷ However, ICE's presence in the state is ubiquitous, and their agents' cooperation with local and state law enforcement is routine. In this context, the line between legitimate cooperation with ICE during criminal investigations and allowing this federal agency extra opportunities to identify and apprehend individuals with minor or disputable violations can become quite blurred, and it varies from agency to agency and community to community.

And a local police chief agreed with this assessment:

I think some of the folks at the municipal level are a little disappointed that I'm not concerned with somebody that is undocumented, but I guess I'm critical of them, that they are not focused on behaviors instead of where somebody comes from. Frankly, it pisses me off.¹²⁸

Loud claims by a minority of state law enforcement representatives, about immigrant workers causing increased crime in their area, provided some impetus for Operation Vanguard, the work-enforcement action that targeted the entire meatpacking industry in Nebraska in the 1990s.¹²⁹ As this short-lived approach wound down in 1999, the Immigration and Naturalization Service (now called Citizenship and Immigration Services) deployed Quick Response Teams (QRTs) along I-80 and around meatpacking communities with large immigrant concentrations such as Grand Island and Omaha. The main purpose of the QRTs was to “strengthen interior enforcement in new destination states and expand the cooperation with state and local law enforcement agencies.”

Their focus was to be on “alien smuggling, document fraud, preventing immigration-related crime in the community, and blocking employers’ access to illegal workers.”¹³⁰ Such a constant presence, while it may solve some problems for local and state agencies regarding enforcement of immigration laws, also widens the set of law enforcement circumstances in which these combined teams may overreach and even engage in unwarranted racial profiling and immigration enforcement practices as a routine part of their job:

What happens is that in the morning, ICE agents go down, they have an understanding with the Douglas County Corrections where they send agents down to interview individuals. We have what is called a “booking sheet,” and they will interview anybody with a Latin surname they suspect.¹³¹

The relationship of local law enforcement agencies with QRT officers has varied from community to community. In some cases, as in Grand Island at least at the beginning, local enforcement agencies without enough translators would routinely ask bilingual federal officers to accompany them to issue “failure to appear” citations or respond to noise complaints. This inevitably led to arrests for civil immigration violations. Evidence of increased racial profiling cases resulted from this expanded presence of federal immigration agents that readily encouraged highway patrol officers to inquire about legal status during routine traffic stops.¹³²

State Patrol is one that I hear a lot of complaints [about] when they ask too many questions; people get pulled over for a traffic ticket and they end up in deportation proceedings when, typically, they should just get a ticket. That, I think, is an area where it would not take a lot for a state-level official to say: “Your job is to write traffic tickets, not to call ICE or immigration.”¹³³

Local advocates protested more serious incidences, especially those involving Nebraska’s Child Protective Services, a division of the Department of Health and Human Services. One of these involved the deportation of a Guatemalan mother who had been turned in by a teacher for slapping her child. The police opted to take the rare action of arresting the mother for this relatively minor offense and alerted QRT of the arrest.¹³⁴

These events, among others, contributed to the passage of legislation on racial profiling in Nebraska and extended the requirement that

the state collect racial profiling data on traffic stops until 2010 (see LB 593 and LB 1113 in Table 6.13, page 196). Interestingly, as this data became available in video format, researchers have been able to verify the fact that highway patrols continue to ask Hispanics for proof that they are in the country legally “all the time.”¹³⁵

Additional legislative actions include the introduction of LB 1149, aimed at clarifying law enforcement duties, including the need to involve consulates in cases when immigrant children are placed in the custody of Health and Human Services (HHS). Nebraska's HHS has now signed a memo of understanding with the Mexican Consulate, in part to respond to the increasing number of unaccompanied minors showing up in the state. However, the memo of understanding was also in response to advocates' and Nebraska legislators' outrage over the Guatemalan mother's case. Rather than allowing the consulate or family members to assume responsibility for the deported mother's children, HHS terminated parental rights and cleared the way for an American foster parent family, eager to adopt them, to do so. The woman eventually had the case against her overturned and her parental rights restored.

DRIVER'S LICENSE REQUIREMENTS AND IMMIGRANTS

Immigration advocates agree that, for the most part, Nebraska has not gone out of its way to implement laws that would seriously tighten the requirements to obtain a Nebraska driver's license. One recent effort to do so was part of a bill introduced to clarify the language in the license requirements. As an immigrant advocate put it: “That was the closest to an anti-immigrant bill we've ever had in Nebraska.”¹³⁶ For example, some senators introduced provisions that would have a driver's license expire at the same time that his or her immigration documents expired and that required additional documentation from noncitizens. Those provisions were struck down in the final bill, LB 559 (see Table 6.13, page 196).

Neither Governor Johanns nor the current governor have supported the idea of allowing immigrants to use the “Matrícula Consular” (or “Consular ID,” issued by the Mexican Consulate) for purposes of identification during traffic stops. However, several Nebraska senators are sympathetic to the clamor from advocacy organizations arguing that the state needs to create some mechanisms that allow unauthorized migrants to drive legally. The discussion took a back seat to the passage of LB239, the in-state tuition bill, but senators agreed to hear arguments during the next legislative session, in 2006–07.

TABLE 6.13. NEBRASKA LEGISLATIVE BILLS ON LAW ENFORCEMENT

No. LEGIS.	YEAR	LB No.	INTRODUCED BY	TITLE	DATE	
					FIRST READ	FINAL ACTION
97th	2001-02	593	Connealy, Aguilar, Beutler, Bourne, Byars, Chambers, Engel, Schimek, Thompson, Wickersham, Hilgert, Dw. Pedersen	Prohibit racial profiling by law enforcement agencies.	1/12/01	Approved by the Governor on May 31, 2001.
98th	2003-04	559	Baker	Change the Motor Vehicle Operator's License Act.	1/21/03	Approved by the Governor on April 15, 2004.
99th	2005-06	260	Stuhr, Beutler, Brown, Combs, Fischer, Howard, Hudkins, Landis, McDonald, Price, Redfield, Schimek, Thompson	Create a task force to look at the issue of trafficking persons in Nebraska.	1/10/05	Indefinitely postponed.
		1113	Bourne	Reinstates the requirement for Nebraska Law enforcement agencies to collect racial profiling data on traffic stops until 2010.	1/17/06	Approved by the Governor on April 13, 2006.
		1149	Cornett, Aguilar, Dw. Pedersen	Provide duties for the Department of Health and Human Services relating to foreign national minors in protective custody.	1/17/06	Indefinitely postponed.

Source: Adapted by the Office of Latino/Latin American Studies from the Nebraska Unicameral Legislature Web site, available online at <http://www.unicam.state.ne.us/>.

Most observers agree that local law enforcement agencies maintain a fairly good relationship with new immigrants, albeit this varies by agency and locality. However, at the state level, our interviewees were less positive and most evaluated its approach to policies in this area as “negligent” and gave the state a failing grade.

CONCLUSIONS AND FUTURE DIRECTIONS

As a new or revitalized destination state, Nebraska has not shown a clear resolve to address the challenges and opportunities that come with sudden population increases. Table 6.1 (page 145) summarizes that sentiment as expressed by interview respondents. What the data gathered for this chapter suggest is that (1) government and non-government organizations at the local level, where the impact of the new immigration is most directly felt, have devised a plethora of responses in lieu of the state's demonstrated “negligence;” and (2) when state policymakers, specifically state senators, have become involved in immigrant issues, they have done so to facilitate inclusion, not promote exclusion. A respondent compared Nebraska with other states responding to new immigration:

At the state level, I am not aware of anything they have done. I am more aware of what they've done in certain local communities. I worked in North Carolina for a number of years, which is similar in that they have recently had a major increase in immigrants. North Carolina did respond by creating an office within the state government to address the needs of immigrants and refugees. They had an office on Hispanic affairs that looked at how the different state policies impact immigrants and refugees. I have not seen anything like that in Nebraska. I think they are still in the process of responding. But they could use a little push so they can see the needs or respond in a more comprehensive way.¹³⁷

Researchers have conclusively shown that government policies are a major determinant of immigrant assimilation trajectories. A state that adopts an “indifferent,” “neutral,” or otherwise neglectful stance toward new immigrants and their settlement process undermines its chances of successfully incorporating these immigrants.¹³⁸ This is particularly true with regard to immigrants from modest backgrounds, or labor migrants, who stand to benefit most from policies that facilitate their adaptation

to unfamiliar environments. The majority of Nebraska's Latin American or Sudanese immigrants are of modest backgrounds and their receiving heartland environment particularly unfamiliar. For government policies aimed at successful incorporation to be truly effective they must enjoy explicit support from the top of the leadership hierarchy, in this case the governor of the state.

As I conclude this section, Nebraskans' attitudes toward immigrants appear to be changing rapidly and not necessarily for the better. Minute-men wannabes now hold regular protests in front of the Mexican Consulate and are beginning to target Senator Hagel's office because of his support for comprehensive immigration reform. Few of our interviewees hold much hope that the current, and likely to be Nebraska's next governor, Dave Heineman, will provide the kind of leadership that is needed in order for state policies to move from a position of "neglect," to one of "inclusion." As a respondent who is particularly knowledgeable of state policies and politics put it:

I think there is nothing to indicate from the Governor's career or from anything he has said or done, that he is going to be a governor who is helpful to newcomers and new immigrants in Nebraska. This governor has done nothing except willfully seek out political gain from beating up on new immigrants. In the recent governor primary he specifically used his veto of the in-state tuition bill as an indication of how "how hard I am going to be [on immigrants,]" or, "I m the guy who will protect us [the state] from illegal immigrants."¹³⁹

The anti-immigrant rhetoric and policies being trumpeted at the national level are beginning to derail Nebraska's home grown, albeit incipient, efforts to facilitate the successful integration of new immigrants into our local institutions. The fact that unsupportable arguments and irrational policies are having an impact in a state that so clearly benefits from immigrants is worrisome. It also suggests that much of the discomfort is not with illegal immigration. Rather, it is with the "differences," between immigrants and the mainstream majority. It is about race, and class, and Spanish-speaking people we bump into at the check out counters.¹⁴⁰ The failure of policymakers to reverse this downward spiral toward new forms of ethnic conflicts and, worse, their willingness to participate in enforcement-only stances for pure political gain, does not bode well for the state's future.

41. Ann Ziebarth and Jaehyun Byun, "Migrant Worker Housing: Survey Results from South Central Minnesota," Hispanic Advocacy and Community Empowerment through Research, 2002.

42. The most recent indices are for evaluations up to 2002.

43. The index combines measures of the health of the economy and the people, levels of crime and education, and government services. Kathleen O'Leary Morgan and Scott Morgan, "State Rankings 2005: A Statistical View of the 50 United States (State Rankings)," Morgan Quitno Corporation, 2005.

44. John Farrell, "The Changing Shape of Minnesota," Humphrey Institute of Public Affairs, December 2004.

45. Jared Bernstein, Elizabeth McNichol, and Karen Lyons, "Pulling Apart: A State-by-State Analysis of Income Trends," Center for Budget and Policy Priorities and Economic Policy Institute, January 2006.

46. Barbara Ehrenreich, *Nickel and Dimed: On (Not) Getting By In America* (New York: Metropolitan Books/Henry Holt and Co., 2001).

NOTES TO CHAPTER 6

1. I have adopted the term "unauthorized migrants" preferred by the PEW Hispanic Center and will use it whenever possible throughout this chapter. I may interchangeably use "illegal" and "undocumented" if I feel they contribute to the clarity of the particular point being made. See Jeffrey S. Passell, "Unauthorized Migrants: Numbers and Characteristics," The Urban Institute, Washington, D.C., 2005.

2. Lourdes Gouveia, Miguel A. Carranza, and Jasney Cogua, "The Great Plains Migration: Mexicanos and Latinos in Nebraska," in *New Destinations: Mexican Immigration to the United States*, Victor Zúñiga and Rubén Hernández León, eds. (New York: Russell Sage Foundation), pp. 23–49.

3. Alejandro Portes, Patricia Fernandez-Kelly, and William Haller, "Segmented Assimilation on the Ground: The New Second Generation in Early Adulthood," *Ethnic and Racial Studies* 28, no. 6 (November 2005): 1000–40.

4. Figures calculated by the Office of Latino/Latin American Studies. Figures for 1910 and 1920 were drawn from the U.S. Census Bureau, "Fourteenth Census of the United States: State Compendium, Nebraska" (Washington, D.C.: U.S. Government Printing Office, 1925), p. 30. Figures for 2000 were calculated from the U.S. Census Bureau, Census 2000, Summary Files 3 (SF3).

5. T. Earl Sullenger and Lillian Hill, "The Immigrant in Omaha," Municipal University of Omaha, 1932.

6. "Racial Tensions in Nebraska in the 1920s," Nebraska Studies.org, available online at http://www.nebraskastudies.org/0700/stories/0701_0130.html (accessed May 20, 2006).

7. Legislative Resolution 20CA proposing the constitutional amendment was passed by the Nebraska Legislature on March 9, 2000. Available online at <http://srvwww.unicam.state.ne.us/unicam96.html>.

8. "Keeping the Promise: Immigration Proposals from the Heartland," Report of an Independent Task Force, Chicago Council on Foreign Relations, 2004.

9. See for example, Cindy Gonzalez and C. David Kotok, "Immigrants Boost Population," *Omaha World-Herald*, March 22, 2006, pp. 1-2; Joe Duggan, "Changing Faces in Rural Places: Surge in Latino Population Leads to Town's Growth," *Lincoln Journal Star*, March 18, 2001, pp. 1, 6A.

10. Immigrant advocate, interview no. 1, May 17, 2006.

11. Don Walton, "Candidates Agree on Immigration Policy," *Lincoln Journal Star*, October 18, 2000, p. 1B; David Kotok, "GOP Senate Hopefuls Favor Looser Borders," *Omaha World-Herald*, April 28, 2000, p. 19.

12. See Lourdes Gouveia and Arunas Juska, "Taming Nature, Taming Workers: Constructing the Separation between Meat Consumption and Meat Production," *Sociologia Ruralis* 42, no. 4 (2002): 370-90.

13. Don Walton, "Don Stenberg on Immigration," *Lincoln Journal Star*, April 23, 2006. Candidates' views on immigration are also available at their respective Web sites.

14. For examples, visit the opinion pages of the *Omaha World-Herald* (www.omaha.com), the *Lincoln Journal Star* (www.journalstar.com), the *Grand Island Independent* (www.theindependent.com), and other local papers in the state. Interestingly, the newspaper editorials have generally praised Hagel and criticized Nelson for their positions on immigration vis-à-vis what editors view is the reality of Nebraska's needs for immigrant workers, as well as Nebraska's history of welcoming immigrants.

15. Permits certain students who attended Nebraska high schools to establish residency, Nebraska Legislative Bill 239, signed April 13, 2006. Available online at http://www.unicam.state.ne.us/legal/SLIP_LB239.pdf.

16. Deborah Solomon, "Immigration Debate Reaches Heartland," *Wall Street Journal* online, April 13, 2006.

17. Robbyn Tysver, "GOP Foes Turn Focus to Issue of Immigrant Rights," *Omaha World-Herald*, May 7, 2006, p. 1A.

18. Special Program on Immigration, NET Radio, January 19, 2006, available online at <http://www.publicbroadcasting.net/nprn/news.newsmain>.

19. Myriam Jordan, "Off the Job, Onto the Streets," *Wall Street Journal*, April 11, 2006, p. 1B; Rachel L. Swarns, "Immigrants Rally in Scores of Cities for Legal Status," *New York Times*, April 11, 2006, p. 1; Cindy Gonzalez, "Immigration Rally Cry: Today We Are Making History," *Omaha World-Herald*, April 11, 2006, p. 1A.

20. Immigrant advocate, interview no. 1, May 17, 2006.

21. Tim Elfrink, "Omahan Tries to Start Minuteman Chapter," *Omaha World-Herald*, May 18, 2006, p. 3B.

22. Jake Thompson, "Hagel, Nelson Inundated. Thousands Express Their Emotions on Immigration," *Omaha World-Herald*, May 22, 2006, p. 1A.

23. "Immigration Views: State-by-State," Rasmussen Reports, May 10, 2006 available online at www.rasmussenreports.com/2006/May (accessed May 19, 2006).

24. These include the nationally renowned Nebraska Appleseed Center for the Public Interest; Omaha Together One Community (OTOC), the interfaith coalition working across racial and ethnic groups that is largely credited for helping organize meatpacking workers; and even academic centers such as ours, the Office of Latino/Latin American Studies at the University of Nebraska at Omaha (OLLAS). OLLAS strives to produce serious and accessible research reports documenting the factors shaping immigration and integration. Across rural communities we have witnessed the slow but increasing organization or reorganization of local social and community agencies, extension services, and chambers of commerce to accommodate the presence of new immigrants in their midst. Importantly, they include the increasing levels of political mobilization of the immigrant population, even the unauthorized, the critical constituencies behind the successes of both unionization and recently held pro-comprehensive reform marches.

25. Cindy Gonzalez, "Non-Mexican Latinos in Nebraska, Iowa, Rising," *Omaha World-Herald*, March 11, 2001. For a demographic profile of Latinos in the state, see Lourdes Gouveia, Mary Ann Powell, with Esperanza Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska: A Statistical Profile to Inform Policies and Programs," Office of Latino/Latin American Studies, University of Nebraska at Omaha, 2005, pp. 1–65. For a more in-depth look at South Americans in the state, particularly Colombians and Venezuelans, see Lourdes Gouveia, "Divergent Origins, Converging Destinies? Venezuelans, Colombians and Mexicans in the Heartland," paper presented at the Russell Sage conference, "Migration to the United States: New Sources, New Destinations," New York, February 2, 2005.

26. 2004 American Community Survey, U.S. Census Bureau.

27. Joe Duggan, "Immigrants Spur Growth in Nebraska," *Lincoln Journal Star*, April 2, 2006, p. 1D.

28. Cindy Gonzalez and C. David Kotok, "Immigrants Boost Population," *Omaha World-Herald*, March 22, 2006, p. 1A.

29. See Gouveia, Carranza, and Cogua, "The Great Plains Migration," pp. 23–49.

30. Calculated from 2003 American Community Survey, U.S. Census Bureau, in "Nebraska State Fact Sheet," National Council of La Raza (NCLR), www.nclr.org. See also Gouveia, Carranza, and Cogua, "Great Plains Migration."

31. Joe Kolman, "Child Population Slow to Increase," *Omaha World-Herald*, March 25, 2001, p. 1A.

32. "Vital Statistics: Birth Summary," Nebraska Health and Human Services, 2004, available online at <http://www.hhs.state.ne.us/ced/vs.htm>.

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35. Sarah Schulz, "Members of Sudanese Community Tell Osborne about Issues They Face," *Grand Island Independent*, August 19, 2004, available online at www.theindependent.com.

36. Cindy Gonzalez, "Tyson Plant Closings Have Big Impact on Population of Towns," *Omaha World-Herald*, March 5, 2006, p. 1A.

37. Gouveia, Carranza, and Cogua, "Great Plains Migration."

38. These figures were calculated by OLLAS from the 2004 American Community Survey, "Selected Characteristics of the Native and Foreign-Born Populations," U.S. Census Bureau, available online at <http://factfinder.census.gov>.

39. Gouveia, Powell, with Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska."

40. 2004 American Community Survey, U.S. Census Bureau.

41. Ibid.

42. Calculated by OLLAS from ibid.

43. Gouveia, Powell, with Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska"; Gouveia, Carranza, and Cogua, "Great Plains Migration"; Schulz, "Members of Sudanese Community Tell Osborne About Issues They Face."

44. "Local Area Unemployment Statistics, 1990–2006," U.S. Department of Labor, Bureau of Labor Statistics, available online at <http://data.bls.gov/cgi-bin/survey/most>.

45. The authors, following Roger Waldinger, defined industrial niches as "industries that contain a critical mass of ethnic workers as well as a disproportionate share of workers in the industry being members of an ethnic group." See Lourdes Gouveia and Rogelio Saenz, "Global Forces and Latino Population Growth in the Midwest: A Regional and Subregional Analysis," *Great Plains Research* 10, no. 2 (2004): 305–28.

46. Lourdes Gouveia and Donald D. Stull, "Dances with Cows: Beefpacking's Impact on Garden City, Kansas, and Lexington, Nebraska," in *Any Way You Cut It: Meat Processing and Small Town America*, Donald D. Stull, Michael J. Broadway, and David Griffith, eds. (Lawrence: University Press of Kansas, 1995), pp. 84–107.

47. Jennifer Meyer, "Sudanese Struggle to Find Jobs in Nebraska," *La Vista Sun*, November 11, 2005, available online at www.lavistasun.com (accessed March 3, 2006).

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51. Lourdes Gouveia, "Estados, Municipalidades e Inmigrantes Latino-americanos en la Internaciolización del Circuito de la Carne," *Internacional Journal of Sociology of Agricultura and Food* 2 (1992): 116–31; Eric Schlosser,

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52. Suzanne Charlé, "The New Nebraskans," The Ford Foundation, New York, Winter 2002.

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54. See Gouveia and Stull, "Dances with Cows"; Gouveia, Miguel A. Carranza, and Jasney Cogua, "The Great Plains Migration"; Lourdes Gouveia and Thomas Sanchez, "Incorporation of Latinos/Immigrants in Rural Nebraska Communities: Grand Island and Schuyler," Report to Texas A&M Research Foundation, 2000.

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58. Nebraska Coalition for Quality Jobs, working manuscripts; *Blood, Sweat, and Fear: Workers' Rights in U.S. Meat and Poultry Plants* (New York: Human Rights Watch, 2004).

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60. Chicago Awareness Center Director, telephone conversation with author, May 18, 2006.

61. Jeffrey Passel, "Unauthorized Migrants: Numbers and Characteristics," Pew Hispanic Center Report, June 24, 2005, available online at www.pewhispanic.org.

62. Gouveia and Stull, "Latino Immigrants"; for media stories see, for example, Deborah Alexander, "Four at Meatpacking Plant Plead Not Guilty to Smuggling Workers," *Omaha World-Herald*, April 10, 2000, p. 21, and Jeremy Olson, "Immigration Raids Target Only the Worst Employers," *Omaha World-Herald*, November 9, 2003, pp. 1–2.

63. "Comprehensive Immigration Reform Is Important to Tyson Foods: How You Can Be Heard," flyer, Tyson Foods Inc., Springdale, Ark.

64. Gabriel, "Si Se Puede."

65. See, for example, David Card, "Is the New Immigration Really So Bad?" Working Paper No. 11547, National Bureau of Economic Research, Cambridge, Mass., August 2004; U.S. Congress, Congressional Budget Office, *The Role of Immigrants in the U.S. Labor Market* (Washington, D.C.: U.S. Government Printing Office, November, 2005).

66. Calculations by OLLAS based on 1990 and 2000 Population Census, Social and Economic Characteristics: Nebraska, and the 2004 American Community Survey, U.S. Census Bureau.

67. Gouveia, "Divergent Origins, Converging Destinies?"

68. Immigrant advocate, interview no. 1, May 17, 2006.

69. Non-English Speaking Workers Protection Act, Nebraska Legislature Bill 418, signed April 2, 2003, available online at <http://srvwww.unicam.state.ne.us/unicam98.html>.

70. For a brief history, see Nebraska Appleseed Center for Law in the Public Interest Web site, www.neappleseed.org.

71. Nebraska state senator, interview no. 9, January 30, 2006.

72. Some examples are the reports produced by the Nebraska Health Information Project, which was the result of a unicameral initiative in 1994 and began in 1995 as a partnership between the University of Nebraska Medical Center and Nebraska Health and Human Services. Although prompted by the larger concern to produce accurate data that would inform state health initiatives aimed at all Nebraskans, the timing itself suggested that growth of the immigrant population was at least part of the subtext informing this initiative. For more information, go to www.unmc.edu/nebraska/.

73. Besides the reports mentioned in note 2, see "State Options for Expanding Health Insurance Coverage and Strengthening the Health Care Safety Net," Nebraska Health Insurance Policy Coalition, August 29, 2005, pp. 1–41, available online at <http://www.statecoverage.net/statereports/ne3.pdf>; Keith Mueller et al., "Health Insurance Coverage in Nebraska: Results from the Nebraska State Planning Grant," Nebraska Center for Rural Health Research, University of Nebraska Medical Center, Omaha, December 2004, pp. 1–42, available online at <http://www.unmc.edu/rural/SPG/health-insur-ne-results-updated1.pdf>.

74. Health professional, interview no. 33, February 24, 2006.

75. Michelle M. Casey, Lynn A. Blewett, and Kathleen T. Call, "Providing Health Care to Latino Immigrants: Community-Based Efforts in the Rural Midwest," *American Journal of Public Health* 94, no. 10 (October 2004): 1709–11.

76. Advocate and director of nonprofit organization, interview no. 10, April 14, 2006.

77. For information on the coalition, visit the U.S. Department of Labor, Occupational Safety and Health Administration Web site, www.osha.gov.

For information on the specific agreement between OSHA and Nebraska's meatpacking industry, see "OSHA and Meat Processing Industry in Nebraska Work Together to Promote Safety," U.S. Department of Labor, available online at http://www.osha.gov/dcsp/success_stories/compliance_assistance/ne_meatprocessing.html.

78. Müller et al., "Health Insurance Coverage in Nebraska."

79. Li-Wu Chen et al., "The Cost of Uncompensated Health Care and the Expenditures of Self-Pay Hospital Inpatient Care in Nebraska" Nebraska Center for Rural Health Research, July 2005, pp. 1–33, available online at <http://www.statecoverage.net/statereports/ne10.pdf>.

80. Cindy Gonzalez, "Illegal Immigrants Add to Burden of Uninsured," *Omaha World Herald*, August 2, 2004, p. 1A.

81. OLLAS transcription of the New Immigrant Orientation Conference, sponsored by The Nebraska Equal Opportunity Commission, Cornhusker Hotel, Lincoln, Nebraska, May 13, 2006.

82. Provide for funding for the Nebraska Lifespan Respite Services Program under the Nebraska Health Care Funding Act, Nebraska Legislature 692, signed May 16, 2001, available online at <http://srvwww.unicam.state.ne.us/unicam97.html>.

83. Miguel A. Carranza and Lourdes Gouveia, "The Integration of the Hispanic/Latino Immigrant Workforce," final report submitted to the State of Nebraska Mexican American Commission and the Legislative Task Force on the Productive Integration of the Immigrant Workforce Population, May 31, 2002.

84. Demetrious Papademetriou and Brian Ray, "From Homeland to Home: Immigrants and Homeownership in Urban America," Fannie Mae Occasional Papers, Fannie Mae, Washington, D.C., 2004.

85. Equal Opportunity Commission representative, interview no. 63, April 13, 2006.

86. "Nebraska Fair Housing Strategy, 1997–2000," Nebraska Department of Economic Development, Lincoln, 2001.

87. As far as I have been able to ascertain, there is no specific law dealing with this issue. However, the advocate we interviewed has encountered situations in which an immigrant applicant was rejected due to his inability to pass a background check due to a false Social Security number (E-mail communication, June 8, 2006).

88. Advocate and director of nonprofit agency, interview no. 10, April 14, 2006.

89. Reported in Schulz, "Members of Sudanese Community Tell Osborne About Issues They Face."

90. Police chief, interview no. 48, April 25, 2006.

91. See, for example, Rodrigo Cantarero and Blanca E. Ramirez, "A Housing Discrimination Study of Hispanic Residents in Hastings, Nebraska," report submitted to the Nebraska Equal Opportunity Commission (EEOC), May 2003; James J. Potter, Rodrigo Cantarero, X Winston Yan, Steve Larrick, and

Blanca E. Ramirez, "Residents' Perceptions of Housing and the Quality of Life in Schuyler, Nebraska," report submitted to the City of Schuyler, May 2, 1995; Lourdes Gouveia and Donald D. Stull, "Latino Immigrants, Meatpacking and Rural Communities."

92. OLLAS calculations based on U.S. Census Bureau, Census 2000 Summary File 3 (SF3)—Sample Data.

93. "Lexington," in *2006 Profile of Nebraska Demographics, Economics, and Housing*, Vol. III (Lincoln: Nebraska Investment Finance Authority, February 23, 2006), pp. III.10.1–12.

94. "2005 Profile of Nebraska Demographics, Economics, and Housing," final report prepared for the Nebraska Investment Finance Authority (NIFA), the Nebraska Department of Economic Development, and the Fannie Mae–Nebraska Partnership Office Portland, Oregon, Western Economic Services, LLC, February 22, 2005.

95. For some of this housing history with regard to Lexington, Nebraska, see Gouveia and Stull, "Dances with Cows."

96. The effort was documented in Thomas Sanchez, "Dissertation Fieldnotes, 2nd Hearing of Housing Ordinance," December 15, 1998. He describes how some residents opposed the ordinance based on the fact that it amounted to discrimination against Latinos and their higher likelihood of having living arrangements that included family and nonfamily members.

97. See, for example, Lourdes Gouveia, "Latinos in Rural America: From Pioneers to New Arrivals," *Journal of Latino/Latin American Studies* (JOLLAS) 1, Special Issue (Fall 2005): 1–25; Joe Duggan, "Growing Pains in Racially Changing Rural, Small Towns," *Lincoln Journal Star*, June 10, 2001, p. A1.

98. Elaine Allensworth and Refugio I. Rochin, "Latino Colonization and White Emigration: Ethnic Transformation in Agricultural Communities in California," *Journal of Latino/Latin American Studies* 1, Special Issue (Fall 2005): 25–66.

99. Charisse Jones, "Crowded Houses Gaining Attention in Suburbs," *USA Today*, January 31, 2006, p. 5A.

100. Equal Opportunity Commission representative, interview no. 63, April 13, 2006.

101. OLLAS calculations based on "2000 Census Public Use Microdata Sample: Nebraska," U.S. Census Bureau.

102. Alejandro Portes, Patricia Fernandez-Kelly, and William Haller, "Segmented Assimilation on the Ground: The New Second Generation in Early Adulthood," *Ethnic and Racial Studies* 28, no. 6 (November 2005): 1000–40.

103. Data calculated from Gouveia, Powell, with Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska"; "State of the Schools" reports, Nebraska Department of Education, various years,

available online at <http://reportcard.nede.ne.us>; and Omaha public school handouts on ESL enrollment figures.

104. Due to space limitations, I will not detail this Latino presence in local schools. However, some of this data can be found in Gouveia, Powell, with Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska."

105. Data calculated from *ibid.* and "State of the Schools" reports, Nebraska Department of Education, various years.

106. Sanchez, "The Social Construction of a Rural Latino Immigrant Ethnic Identity."

107. In the larger cities, schools are also able to establish cooperative programs with local agencies dedicated to serving the new immigrant or Latino population. Examples are the Chicano Awareness Center, which places education specialists in four high schools with high Latino enrollment. Lincoln's Hispanic Center and Grand Island's new Multicultural Center are two other examples. Once again, these resources are seldom available in smaller communities. For more on parent involvement and dual-language programs in Omaha public schools, see Juan Casas, et al., "Examining the Impact of Parental Involvement in a Dual Language Program: Implications for Children and Schools," OLLAS Special Report #2, Office of Latino/Latin American Studies (OLLAS), University of Nebraska at Omaha, 2005.

108. ESL coordinator, interview no. 12, March 3, 2006.

109. See Casas et al., "Examining the Impact of Parental Involvement in a Dual Language Program."

110. In 1990, the Nebraska legislature, under pressure by taxpayers and schools to reduce the schools' reliance on property taxes and equalize funding across the state, established a state aid formula that increased funding for public schools.

111. ESL coordinator, interview no. 12, March 3, 2006.

112. Details about LB 126 can be accessed on line at the Nebraska Department of Education Web site, http://www.nde.state.ne.us/FactsLB126_120105.pdf.

113. University administrator, interview no. 19, May 17, 2006. See also Emily Gersema and Paul Goodsell, "Trend in Meatpacking Towns Raises Question of 'White Flight,'" *Omaha World-Herald*, August 22, 2004, p. 1A.

114. Gouveia, Powell, with Camargo, "Educational Achievement and the Successful Integration of Latinos in Nebraska."

115. Michaela Saunders, "Suburbs Get in Integration Mix: Districts See Option Enrollment as Alternative to OPS Plan," *Omaha World-Herald*, October 31, 2005, pp. 1-2.

116. Michaela Saunders, "Chambers Up Close: A Q&A with the Senator, Whose OPS Views Are Rooted in His Youth," *Omaha World-Herald*, April 30, 2006, p. 3B.

117. Henry Cordes, "Sen. Chambers Had Spent Years Preparing for This Big 'Gotcha!'" *Omaha World-Herald*, April 9, 2006, pp. 1-2.

118. Details of the lawsuit are available online at <http://www.naacpldf.org/content.aspx?article=915>.

119. Nebraska state senator, interview no. 8, February 20, 2006.

120. See, for example, Casas, et al., "Examining the Impact of Parental Involvement in a Dual Language Program"; M. S. Black, "Historical Factors Affecting Mexican American Parental Involvement and Educational Outcomes: The Texas Environment from 1910–1996," Ph.D. dissertation, Harvard University, 1996; G. R. López, J. D. Scribner, and K. Mahitivanichcha, "Redefining Parental Involvement: Lessons from High-performing Migrant-impacted Schools," *American Educational Research Journal* 38, no. 2 (2001): 253–88.

121. See Casas, et al., "Examining the Impact of Parental Involvement in a Dual Language Program," for a more detailed analysis of this achievement gap and dropout rates among Hispanics and Latinos.

122. University administrator, interview no. 19, May 17, 2006.

123. E-mail communication, May 22, 2006.

124. University administrator, interview no. 19, May 17, 2006.

125. "Law Enforcement and the New Immigration," conference organized by OLLAS and the Police Professionalism Initiative at the University of Nebraska at Omaha, April 7, 2006.

126. Police chief, interview no. 48, April 25, 2006.

127. For a brief history and definition of memoires of understanding, see "Section 287 (G) Immigration Enforcement, fact sheet," U. S. Immigration and Customs Enforcement, available online at <http://www.ice.gov/pi/news/factsheets/section287g.htm>.

128. Police chief, interview no. 48, April 25, 2006.

129. Lourdes Gouveia and Arunas Juska, "Taming Nature, Taming Workers: Constructing the Separation between Meat Consumption and Meat Production in the U.S.," *Sociologia Ruralis* 42, no. 4 (2004): 370–90.

130. "News Release. INS Enhances Interior Enforcement Strategy," U.S. Department of Justice, Immigration and Naturalization Services, March 30, 1999, available online at www.ins.usdoj.gov (accessed April 12, 2000).

131. Participant at "Law Enforcement and the New Immigration," conference organized by OLLAS and the Police Professionalism Initiative at the University of Nebraska at Omaha, April 7, 2006.

132. Gouveia and Sanchez, "Incorporation of Latino/Immigrants in Rural Nebraska Communities."

133. Local attorney, interview no. 50, May 4, 2006.

134. Advocate and director of nonprofit agency, interview no. 10, April 14, 2006.

135. Personal communication with University of Nebraska-Omaha Ph.D. student, December 2005.

136. Immigrant advocate, interview no. 1, May 17, 2006.

137. Local attorney, interview no. 50, May 4, 2006.

138. Alejandro Portes and Rubén G. Rumbaut, *Legacies: The Story of the Immigrant Second Generation* (Berkeley: University of California Press and New York: Russell Sage Foundation, 2001).

139. Immigrant advocate, interview no. 1, May 17, 2006.

140. See Gouveia, Carranza, and Cogua, "The Great Plains Migration."