Lesson Plan: The Sixth Section

Immigrants and the U.S. Constitution

OBJECTIVES
This lesson will help students:

• learn more about current immigrant experience
• investigate U.S. immigration and labor laws
• consider the meaning of citizenship
• gain knowledge about the economics of poverty
• practice research skills
• practice persuasive writing skills

GRADE LEVEL
9-12

SUBJECT AREAS:
Social Studies, American History (immigration), U.S. Constitution, Civics, Economics, Chicano/Hispanic/Latino Studies

MATERIALS
VHS of The Sixth Section with VCR & Monitor
Access to the Internet for student research
Handouts (see Resources in this guide)

ESTIMATED TIME NEEDED
3 class periods / 2 hours

BACKGROUND INFORMATION
Why Look at Immigration Issues?

A 2002 analysis by the Center for Immigration Studies indicates that 33.1 million legal and illegal immigrants live in the United States, more than double the number during the last great wave of immigration around 1910, when roughly 13 or 14 million immigrants lived in the United States. Immigrants comprise about 11% of the total U.S. population and, according the University of California’s Berkeley Institute of Industrial Relations, they provide more to the nation’s economy than they use, adding about $10 billion each year to the U.S. gross product and paying at least $133 billion in taxes.

An estimated 3-4 million of those immigrants are undocumented Mexicans. Through groups known in English as HTAs, hometown associations, Mexican immigrants, both legal and undocumented, are sending $10 billion a year back to communities and family in Mexico. That amounts to Mexico’s third largest source of revenue, after oil and tourism. For more information on HTAs, see www.pbs.org/pov/thesixthsection/

The 26-minute long film, The Sixth Section, profiles one small HTA in Newburgh, NY. As a close-up of the challenges and accomplishments of the members of the Boqueron HTA, the documentary is an excellent springboard for classroom investigations of U.S. policies on key issues related to immigration and citizenship, including laws governing immigration, labor, and banking.
ACTIVITY
One of the duties of legislative aids is to prepare background reports on key issues for the
Representative or Senator they serve. In this activity, students will take the role of a
Congressional legislative aid serving a House Member representing Newburgh, NY. Students
will prepare a report on an issue related to the immigrants they “meet” in the film The Sixth
Section (all of whom live in Newburgh).

Step 1: Identifying the Issues (40 minutes)
Show The Sixth Section and ask students to think about how government policies might make life
better or worse for the men they see in the film.
Note: For teachers wishing to engage students in a deeper discussion of the film, see the
discussion guide posted at www.pbs.org/pov/pov2003/thesixthsection/resources_guide.html

Step 2: Assign Groups (20 minutes)
Explain to students that they are legislative aids assigned to help their representative, who serves
Newburgh, NY, figure out what position to take on an issue or piece of legislation that will affect
the immigrants living in their district. Students can work as individuals or in groups on any ONE
of the issues listed below:
- Minimum Wage (Fair Labor Standards Act)
- Border Security and Immigration Reform Act
- National Labor Relations Act
- Immigration Amnesty
- Remittances and Banking Law Reform
- North American Free Trade Act (NAFTA)
Get students started by briefly describing each issue and distributing the handouts provided in
this guide.

Step 3: Preparing the Report (outside of class)
Students will research their issue and write a 2-5 page report for their legislator that includes:
- The Introduction – a brief summary of the essence of the issue and the position they are
  recommending
- The Argument – the major evidence in favor of their position
- The Counterargument – the major evidence against their position and an explanation of
  why that evidence is not as convincing as the evidence in favor of their position
- The Conclusion – a summary of the position that logically flows from their argument

Step 4: Class Discussion (one class period)
Hold a class discussion about each of the assigned issues. Ask students to consider whether their
position might change if they were writing the report for a legislator from a different part of the
country (e.g., the Texas border instead of Newburgh, NY).

Step 5: Assessment
Ask students to draft reports of their recommendations, including the evidence supporting their
position. Evaluate the reports on clarity and quality of argument. If reports are unacceptable, ask
students to re-write until they are of high enough quality to send to their elected Federal
representatives and members of the U.S. Senate and House of Representatives who deal with
immigration and labor issues. Committee assignments are available at: www.congress.org or
Reserve 20 minutes of class time later in the semester to share and discuss any responses the
students receive.
EXTENSIONS & ADAPTATIONS

- Engage students in a project where they raise and pool funds for a school or community project.
- Invite first generation immigrants – either students or their families – to visit your class and share their own experiences.
- Use *The Sixth Section* with Spanish-speaking ESL students as a prompt to help them prepare reports on their hometowns to be shared with classmates and/or the broader community.
- Compare the experiences of the men featured in *The Sixth Section* with the experience of other immigrant groups that students have studied or know.
- Research the history of the relationship between the U.S. and Mexico and/or the history of Chicanos in the U.S. Discuss the following quote: "Immigration is an issue of powerful symbolism for us. The debate on immigration policy often feels like an indicator of respect -- or the lack of it -- for the contributions of the larger Latino community to our common nation."—Raul Yzaguirre, President of the National Council of La Raza. For additional information, log on to the website of the National Council of La Raza [http://www.nclr.org/](http://www.nclr.org/).
- Discuss whether or not students think that the men featured in *The Sixth Section* would make good U.S. citizens. What makes a good citizen?
- Discuss whether or not students think that the men featured in *The Sixth Section* are good role models.

RESOURCES

Immigration Issues

American Civil Liberties Union [www.aclu.org/ImmigrantsRights/ImmigrantsRightsMain.cfm](http://www.aclu.org/ImmigrantsRights/ImmigrantsRightsMain.cfm)

American Immigration Law Foundation (AILF) [www.ailf.org](http://www.ailf.org) is a not-for-profit educational, charitable organization dedicated to increasing public understanding of immigration law and policy and the value of immigration to American society; to promoting public service and excellence in the practice of immigration law; and to advancing fundamental fairness and due process under the law for immigrants.

Center for Immigration Studies [www.cis.org](http://www.cis.org)

Enlaces América [www.enlacesamerica.org/](http://www.enlacesamerica.org/) are committed to working with Latino immigrants in the U.S. to support them in developing the knowledge and capacity required to be effective advocates in shaping the multiple public policy decisions that impact their communities’ lives here and in countries of origin.

Immigrant Legal Resource Center [www.ilrc.org](http://www.ilrc.org/)

National Immigration Forum [www.immigrationforum.org/](http://www.immigrationforum.org/) seeks to embrace and uphold America's tradition as a nation of immigrants. The Forum advocates and builds public support for public policies that welcome immigrants and refugees and that are fair and supportive to newcomers in our country.

National Immigration Law Center [www.nilc.org/](http://www.nilc.org/)

Numbers USA Education and Research Foundation [www.numbersusa.com/index](http://www.numbersusa.com/index) a Washington, D.C., organization devoted to immigration control.
U.S. Mexico Immigration Issues [www.ailf.org/pubed/pe_mex_index.asp] AILF links to resources, organizations and articles

U.S. Immigration Statistics [www.gcir.org/about_immigration/usmap.htm] By Grant Makers Concerned with Immigrant Rights


Labor Issues

AFL-CIO [www.afl-cio.org/]

Center for Labor Research and Education, UCLA [www.labor.ucla.edu/]

International Labor Organization (ILO) [www.ilo.org/] UN specialized agency which seeks the promotion of social justice and and internationally recognized human and labor rights

Labor Council for Latin American Advancement [www.lclaa.org/] is the AFL-CIO’s official advocacy group dedicated to organizing and empowering or Latino workers and fighting for immigrant’s rights. Website contains information on local chapters, national convention, and current news.

United Farmworkers [www.ufw.org/]

Mexico / Central America / Latin America & Related Immigrant Organizations
Asociacion Tepeyac [www.tepeyac.org/]

Central American Resource Center [www.carecen-la.org/]

LULAC (League of United Latin American Citizens) [www.lulac.org/]

Mexican American Legal Defense and Education Fund-MALDEF [www.maldef.org/]

Mexico Solidarity Network [www.mexicosolidarity.org/]

National Council of La Raza [www.nclr.org/] a private, nonprofit, nonpartisan, organization established in 1968 to reduce poverty and discrimination, and improve life opportunities for Hispanic Americans. NCLR is the largest constituency-based national Hispanic organization, serving all Hispanic nationality groups in all regions of the country. NCLR’s Policy Analysis Center is the preeminent Hispanic "think tank" serving as a voice for Hispanic Americans in Washington, D.C., providing timely policy analyses and advocacy.

BACKGROUND: BORDER SECURITY AND IMMIGRATION REFORM ACT OF 2003

For the full text of the bill, see: www.theorator.com/bills108/s1387.html. The essence of the bill amends the Immigration and Nationality Act to authorize the establishment of guest worker programs, to provide for the adjustment of status of certain aliens unlawfully present in the United States to the status of a nonimmigrant guest worker, and for other purposes.

Introduced on July 10 by Sen. John Cornyn (R-Texas) a member of the Judiciary Committee's subcommittee on Immigration, Border Security and Citizenship, Cornyn said that the bill, “was designed to enhance border security and address the consequences of many years of poor enforcement and failed immigration policies.” (source: Newsday, July 23, 2003)

According to U.S. officials, the human smuggling industry, an increasingly sophisticated racket, rakes in nearly $10 billion a year shipping immigrants from 100 countries across the U.S.-Mexico border. (source: Newsday New York, July 22, 2003)

For additional bills on immigration introduced in the 108th Congress, see:
www.theorator.com/bills108/issues/immigration.html

**Key Issues:**

Should the U.S. pass the Border Security and Immigration Reform Act?

Should the U.S. use the same policy for the border with Mexico as it uses at the Canadian border?

Should the U.S. increase border patrols on the Mexican border to keep out illegal immigrants?

Should the U.S. provide access to higher education, drivers’ licenses, public K-12 education, or health care for undocumented workers?
The North American Free Trade Agreement, which took effect January 1, 1994, was touted by its creators as a means of improving the economies of the United States, Canada and Mexico, and increasing the fortunes of each nation's citizens. But in many poor parts of Mexico, the most visible effect of NAFTA and other economic measures is to be found in the Mexicans no longer living there. The global marketplace isn't offering them enough at home, so they're crossing the border illegally in search of jobs in the United States. (source: “Broken Promises: How Economic Reforms Have Failed Mexico”, Cox News Service, August 6, 2003.

For the full text of NAFTA, see: [www-tech.mit.edu/Bulletins/nafta.html](http://www-tech.mit.edu/Bulletins/nafta.html)
For links about NAFTA, go to: [lanic.utexas.edu/la/Mexico/nafta/](http://lanic.utexas.edu/la/Mexico/nafta/)
For an anti-NAFTA perspective, see: [www.citizen.org/trade/nafta/index.cfm](http://www.citizen.org/trade/nafta/index.cfm)

**Key Questions:**

Has NAFTA improved working conditions in Mexico, making it less likely that Mexican workers would come to the U.S. seeking employment?

Should the U.S. withdraw from NAFTA?

Should the U.S. modify NAFTA. If so, how?
The NLRA guarantees the right of employees to organize and to bargain collectively with their employers. For the full text of the law, see: [www.nlrb.gov/rr/rr6.htm](http://www.nlrb.gov/rr/rr6.htm)

Though many employers provide good jobs for undocumented workers, others take advantage of the fear of being deported to pay less than minimum wage, demand overtime hours without overtime pay, provide unsafe working conditions, and worse.

For additional information on labor issues, see:

- **AFL-CIO** [www.afl-cio.org/](http://www.afl-cio.org/)
- **Center for Labor Research and Education, UCLA** [www.labor.ucla.edu/](http://www.labor.ucla.edu/)
- **International Labor Organization (ILO)** [www.ilo.org/](http://www.ilo.org/) UN specialized agency which seeks the promotion of social justice and internationally recognized human and labor rights
- **Labor Council for Latin American Advancement** [www.lclaa.org/](http://www.lclaa.org/) is the AFL-CIO’s official advocacy group dedicated to organizing and empowering or Latino workers and fighting for immigrant’s rights. Website contains information on local chapters, national convention, and current news.
- **United Farmworkers** [www.ufw.org/](http://www.ufw.org/)

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<th><strong>Key Questions:</strong></th>
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<td>Should undocumented workers be protected by U.S. labor laws, including the right to organize, the right to earn a minimum wage and overtime, and the right to a safe workplace?</td>
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<td>If not, how should undocumented workers be protected from exploitive conditions?</td>
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<td>If so, what would be the best way to help workers who fear that if they complain, they will be deported?</td>
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BACKGROUND: FAIR LABOR STANDARDS ACT (FLSA) / MINIMUM WAGE

Primarily known as the minimum wage and overtime law, The Fair Labor Standards Act of 1938 was designed to encourage employers to hire more employees in lieu of working overtime and to prevent unfair competition by requiring all employers to pay a minimum wage and overtime for all work in excess of 40 hours per work week. By requiring overtime pay, the Act created a monetary penalty for employers who did not spread their existing work among a greater number of employees. The Act, in essence, provided an incentive to hire more people rather than increase the hours worked by existing employees. The FLSA contains minimum wage, overtime pay, and record keeping requirements, and it restricts child labor. These provisions apply to all state and local government employees, except certain employees excluded from the FLSA definition of “employee,” and those employees who may qualify for exemption from the requirements of the Act. The Act establishes a definition of “hours worked” and provides the conditions when overtime pay is due. The current minimum wage is $5.15/hour. For more on the FLSA see: www.dol.gov/dol/topic/wages/minimumwage.htm

In recent years, some people have begun to campaign for a “living wage” rather than a “minimum wage”, especially for workplaces that receive government funds. A living wage is defined as the wage a full-time worker would need to earn to support a family above federal poverty line. It varies from location to location, depending on costs of living in different places. For example, the current estimated living wage in Milwaukee, Wisconsin is $6.25 while in Santa Cruz, CA, it is $12/hour. (Source: http://www.epinet.org/content.cfm/issueguides_livingwage_livingwage)

Key Issues:

Should undocumented workers receive minimum wage?

Should the minimum wage be raised, and if so, to what level?

Should the minimum wage be replaced by a living wage?
BACKGROUND: REMITTANCES / BANKING POLICY

Each month, Mexicans in the United States send millions of money orders, averaging $200 each, across the border to their communities of origin. These remittances generate more than $9.3 billion a year, making them Mexico’s third-largest source of income, after oil exports and tourism. In the states of Zacatecas and Michoacán, as well as in much of rural Mexico, they exceed local and state budgets.


Because remittances are so important to the economy of developing nations, international financial institutions such as the World Bank have become increasingly interested in how to make remittance-sending mechanisms more efficient; that is to say, how to send money fast and at the lowest possible cost.

(source: “Remittances, Global Integration, and Immigrant Communities” By Oscar Chacón, ENLACES N EWS #3 VOLUME 3, NOVEMBER 2002 A Publication of Enlaces América, the International Program of the Heartland Alliance)

According to the Inter-American Development Bank and the Pew Hispanic Center, many immigrants pay 10-15% of their checks in fees to send money back to their families. It would cost much less to pay a bill with a credit card from an American bank or make a withdrawal from an ATM (source: The Associated Press, November 22, 2002)

In Mexico, bank accounts are not federally protected as they are in the United States. Legends abound about how some friend or relative deposited his or her life savings into a bank only to find the doors locked and the business gone the very next day. That experience can make Mexican immigrants skeptical of putting their money in banks or using banks to transfer funds. (source: The Associated Press State & Local Wire, August 7, 2003)

Many workers cash their checks at payday loan and convenience check cashing outlets. The tellers are friendly, they often speak Spanish and a picture identification, even a foreign passport, is usually all that is needed. But the fees can add up quickly. Cashing a $300 check would cost about $10. Used weekly, this service costs more than $500 a year - nearly two weeks pay. Another pitfall migrant workers face is the cost of wiring money to their home county. The rates vary from day to day; sending an immediate transfer of $1,000 to a recipient in Mexico via Western Union was quoted at $50 on Aug. 5. Some other wire services also charge the receiver a fee. (source: The Associated Press State & Local Wire, August 7, 2003)


Key Questions:

Should the U.S. require banks to limit charges to $3 for international fund transfers of amounts less than $500?

Should the U.S. require banks to open accounts for any person with an identification card issued by the Mexican consulate. The accounts will allow immigrants to send ATM cards to relatives back home, so rather than spending $25 to send $200 at a typical money transfer counter, immigrants can give their families access to funds in the United States for about $3 per transaction?
Mexican President Vincente Fox has asked the Bush Administration to grant permanent legal status to more than three million Mexicans living in the U.S. illegally, arguing that it would ease hardships for undocumented workers, give the U.S. a more accurate count of those workers, and boost Mexico’s economy by making it easier for undocumented workers to send remittances to family remaining in Mexico.

An alternative proposal suggests granting temporary work visas to Mexicans.

There is precedent for granting special status to particular groups. In 1966, the U.S. passed the Cuban Adjustment Act, which exempted Cuban immigrants from general U.S. immigrant laws and declared that any Cuban reaching American shores would be eligible for permanent residency after two years.

For a comprehensive discussion of the issue, see: www.pbs.org/newshour(bb/latin_america/july-dec01/mexico_7-17.html

Key Questions:
Should the U.S. grant amnesty to all undocumented workers or to all Mexican undocumented workers living in the U.S. today?

Should the U.S. provide temporary work visas to all Mexicans who ask for them?

Should the U.S. deport all undocumented workers?
STANDARDS
(from www.McRel.org)
Main standards covered include:

Civics
Standard 13
Understands the character of American political and social conflict and factors that tend to prevent or lower its intensity
3. Knows how the rights of organized labor and the role of government in regulating business have created political conflict

Standard 23
3. Understands the effects that significant American political developments have on other nations (e.g., immigration policies; opposition to communism; promotion of human rights; foreign trade; economic, military, and humanitarian aid)
7. Understands the principal effects that economic conditions, technological developments, and cultural developments in other nations have had on American society and the lives of American citizens (e.g., economic conditions such as multinational corporations, migration of labor; technological developments such as fax machines, personal computers, television; cultural developments such as religious movements, resurgence of ethnic consciousness)

Standard 24
Understands the meaning of citizenship in the United States, and knows the requirements for citizenship and naturalization
3. Knows the criteria used for admission to citizenship in the United States such as five years of residence in U.S.; ability to read, write, and speak English; proof of good moral character; knowledge of the history of the United States; knowledge of and support for the values and principles of American constitutional government

Standard 26
Understands issues regarding the proper scope and limits of rights and the relationships among personal, political, and economic rights
7. Understands the relationship of political rights to economic rights such as the right to choose one's work, to change employment, and to join a labor union and other lawful associations

Language Arts - Writing
Standard 1: Uses the general skills and strategies of the writing process.
9. Writes persuasive compositions that address problems/solutions or causes/effects (e.g., articulates a position through a thesis statement; anticipates and addresses counter arguments; backs up assertions using specific rhetorical devices [appeals to logic, appeals to emotion, uses personal anecdotes]; develops arguments using a variety of methods such as examples and details, commonly accepted beliefs, expert opinion, cause-and-effect reasoning, comparison-contrast reasoning)

Standard 4: Gathers and uses information for research purposes.

Additional relevant standards include:

United States History, Era 10 - (1968 to the present)
Standard 31: Understands economic, social, and cultural developments in the contemporary United States.

Language Arts – Reading
Standard 5: Uses the general skills and strategies of the reading process.