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## **H2 Visas in the Mississippi Catfish Industry: Transnationalism and Gender from the Middle**

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# **H2 Visas in the Mississippi Catfish Industry: Transnationalism and Gender from the Middle**

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## **Abstract**

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This article builds on global ethnography, transnational feminist sociology, and gendered organizations to examine the processes and practices required to obtain H2 visas, temporary work permits for non-U.S. citizens seeking employment in agriculture and non-agricultural sectors. The article is based on ethnographic observation at a U.S. Consulate in Mexico with a focus on observing the process experienced by a group of Mexican workers seeking H2-A Visas to work on a catfish farm in Mississippi. I argue that by more carefully examining the roles and perspectives of the catfish farm manager and a U.S. Consulate Director in the process of obtaining the H2-A visas, we can move beyond “globalization from above” or “globalization from below” perspectives to a more nuanced understanding of what transnationalism looks like from the middle. In addition, by applying a gendered organizations framework to understanding the H2 visa process at an interactional level, I demonstrate how the definition of the “good worker” is gendered.

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**Keywords:** transnationalism, work, gender, H2 Visas

# **Visados H2 en la Industria del Siluro en Mississippi: Transnacionalismo y Género desde el Centro**

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## **Resumen**

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Este artículo se basa en la etnografía global, la sociología feminista transnacional, y las organizaciones de género para examinar los procesos y prácticas necesarias para obtener visados H2 o permisos de trabajo temporales para los ciudadanos no estadounidenses que buscan empleo en la agricultura y los sectores no agrícolas. El artículo parte de la observación etnográfica realizada en un Consulado de Estados Unidos en México para analizar el proceso vivido por un grupo de trabajadores mexicanos que buscan visas H2-A para trabajar en una granja de siluros en Mississippi. Sostengo que al examinar más detenidamente las funciones y perspectivas del administrador de la granja de siluros y del director del Consulado de Estados Unidos en el proceso de obtención de los visados H2-A, podemos ir más allá de las perspectivas de "globalización desde arriba" o "globalización desde abajo" hacia una comprensión más matizada de lo que el transnacionalismo es desde el centro. Además, aplicando una perspectiva de género al proceso de obtención del visado H2 a nivel interaccional, demuestro cómo el género influye en la definición del "buen trabajador".

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**Palabras clave:** transnacionalismo, trabajo, género, H2 Visas

**D**uring my first visit to Nation's Best Catfish I missed the turn off to the office and found myself driving on the levees of the catfish ponds. I came upon a feed truck and got out to ask the driver for directions. I quickly said that I was looking for the main offices. Assuming that he hadn't heard me over the loud equipment, I repeated myself with a little more volume. Suddenly, I realized that this worker spoke Spanish. I attempted a few words in broken Spanish and finally made some progress when I said the last name of the person I was looking for: "Jimenez?" The man in the truck said, "OK" and motioned for me to follow him. When I got to the offices, a simple, single level concrete structure, the signs on the front directing me to "Use the Other Door" and inside the lobby "Please Ring the Bell for Help" were written in both English and Spanish. In the middle of the Mississippi Delta, I had entered a world of Spanish-speaking catfish workers.

David Jimenez is a Mexican American aquaculturist originally from Southern California. His background and work experience raising caged fish and his excellent fluency in both English and Spanish made him an attractive candidate for the farm manager job at Nation's Best Catfish, one of the largest commercially owned catfish farms in the Mississippi Delta. David accepted the job of farm manager and moved his wife and children to live in a modern, brick house on the edge of the farm. The house is provided by the company and serves as one of the benefits of the job. David explains that this is a demanding job with a high potential for burnout. Farm managers are responsible for managing the farm workers who maintain the grounds, mow the levees, feed and harvest the fish. He keeps meticulous records on over 600 ponds to keep track of things such as amount of feed needed, treatments for disease, bird predation strategies, oxygen levels, and needed repairs. He spends many hours in his truck driving around the farm to check the work being done.

During the months from May-September a farm manager can be expected to be on call almost 24 hours a day. One of the greatest risks of catfish farming is the challenge of low oxygen levels which can kill an entire pond in a matter of minutes. The farm manager is ultimately in charge if a pond is lost, so workers are sure to call at the first sign that the fish are "coming up" to the surface for air. David is also responsible for managing the apartments that the workers live in on the farm. He tells me

that he is often called on to mediate disagreements or misunderstandings between English speaking and Spanish speaking workers in the processing plant. He is a jack-of-all-trades.

In early October 2005, I spent the morning hanging out with David to learn more about what he did on a day-to-day basis. As I sat across the desk from him in his small office, it became apparent that much of the work he was doing that morning had to do with his preparation to go to a U.S. Consulate in Mexico the next week to bring back “his Winter crew.” He made a phone call to the Consulate and spoke to people in both English and Spanish to ask whether he could pay the H2 visa expenses with a cashier’s check. He called over to the processing plant to remind the supervisor to post a sign notifying all H2 B visa workers that they had to leave by October 14th. He complained that this should not be part of his job because he is in charge of the farm, not the processing plant, but he said she would forget to do it.

This was my first glimpse into the transnational space in which David Jimenez managed his Mississippi catfish farm through the hiring of Mexican migrant workers via the H2 visa process. There has been little research on the H2 guest worker program, *per se*<sup>1</sup>. There is even less research on the specific dynamics inherent in the process of obtaining the H2 visas themselves. I am primarily interested in how transnational processes and practices defined as “occupations and activities that require regular and sustained social contracts over time across national borders for their implementation” (Portes, Guarnizo, & Landolt, 1999, p. 219) manifest themselves in local places, spaces, and interactions. In so doing, I also explore how gender shapes these processes. Moving beyond “globalization from above” vs. “globalization from below” models, this article explores the mid-level managers and bureaucratic workers whose work constitutes the day-to-day construction of transnational work processes and globalization itself.

### **Background and Theoretical Context**

Scholars have been debating the meaning and significance of transnationalism. Some have used the term to refer to a new and enduring state of immigrant and migrant personal, work, and political life which

exists across nation-state borders, with a focus on the limited usefulness of traditional frameworks such as assimilation for understanding allegiances and identities as either with a sending country or receiving country (Portes, Guarnizo, & Landolt, 1999; Levitt, 2001a; Levitt, 2001b). Others have questioned whether the connections migrants have established are any more than highly particularized relationships within local communities in the receiving country and whether any of these transnational labor flows are really all that new when taking historical and comparative cases into account (Waldinger & Fitzgerald, 2004). Feminist scholars have noted that when globalization is discussed in the literature it is “rendered into a grand discourse about a purportedly homogenizing capitalist world system” (Kim-Puri, 2005, p.140). And while much theoretical and empirical research has demonstrated that gender is a system of inequality requiring an analysis of what Tilly (1984) calls “big structures, large processes, and huge comparisons,” a discussion of gender dynamics related to transnationalism or globalization is often missing (Poster, 2002). Since the 1990’s feminist scholars have set out to explore the ways that gender and sexuality are implicated in shaping the meanings and consequences of transnational practices, institutions, flows, and relationships for men and women (Patil, 2011). In a special issue in *Gender & Society*, sociologists Kim-Puri, outline their rationale for constructing a transnational feminist sociology and claim their goal is to “rethink and reframe the ways the state, nation, gender, and sexuality are mutually constituted.” (Kim-Puri, 2005, p. 139).

These theoretical discussions have led to conversations about the most effective methods for studying transnational phenomena. In *Global Ethnography*, Michael Burawoy suggests that “what we understand to be global is itself constituted within the local; it emanates from the very specific agencies, institutions, and organizations whose processes can be observed first-hand” (as cited in Poster, 2002, p. 127). In a critical analysis that joins feminist and global ethnography literatures, Winifred Poster (2002) notes that feminist work, although not always explicitly defined as global ethnography, has long been expanding the “range of sites where one can study global dynamics of work...” and focusing on “transnational connections” in their studies of the workplace (p. 129). There is now a vast literature on how gender shapes transnational work relationships. These include demographic analyses of how gender and race shape flows of labor

between various nation states (Pyle, 2006), literature on the day to day work experiences of migrants and immigrants in a range of occupations (Garcia-Lopez, 2008; Hondagneu Sotelo, 1995, 2001; Hossfeld, 1990; Parnas, 2000), the nature of transnational masculinities (Bartolomei, 2010; Beasley, 2008; Connell, 1998; Connell & Wood, 2005; Ramirez, 2011) and gender dynamics in organizations that are affected by local, cultural assumptions about the appropriate displays of femininity, sexuality, and the body (Muñoz, 2008; Lee, 1998; Salzinger, 1997; Yelvington, 1995).

This article builds on global ethnography and transnational feminist sociology to understand one example of transnational phenomenon--“H-World”—the H2 Visa unit in a U.S. consulate in Mexico at one point in time. H2 visas are temporary work permits for non-U.S. citizens seeking employment in agriculture and non-agricultural sectors (Muñoz, 2008). The goal of this paper is to explore some of the transnational gendered practices that may be at play in the U.S. catfish industry by highlighting the dynamics of this understudied space using a gendered organizations perspective, a framework that acknowledges the ways that gender and sexuality themselves are constructed at various organizational levels including identity, interaction, culture, and structure (Acker, 1990; Britton, 2000; Britton & Logan, 2008; Williams, Muller, & Kilanski, 2012). In particular, by focusing on the relationship between hired farm manager and the temporary Mexican workers he hires, I focus on expanding our understanding of transnational hegemonic masculinities. Here we are able to see the relationship between hegemonic masculinities (a form of transnational business masculinity) related to the farm manager’s role and the bureaucratic processes in the U.S. Consulate (Connell & Wood, 2005) and marginalized masculinities as lived by immigrant workers (Beasley, 2008).

What follows is a brief discussion of research methods and an overview of H2 Visas and the catfish industry in Mississippi. The findings section explores H-world from the perspectives of a farm manager and a Consulate Director and identifies the gendered aspects of this process that become obvious from these points of view. The conclusion outlines what we might learn through more in-depth study of the process of obtaining H2 Visas and the gendering of other underexplored transnational work spaces with more attention to the “middle” of these bureaucratic processes.

### **Research Methods**

From 2004-2007, I conducted a study of the catfish industry using tape-recorded in-depth interviews and ethnographic observation. I formally interviewed 7 farmers (2 women and 5 men) and 12 individuals in research and development (7 men and 5 women) involved in running or supporting the U.S. catfish industry in Mississippi (11) and Arkansas (8). Eighteen respondents identified as white and one identified as Hispanic. They ranged in age from 26 to 90. I also attended four national and regional catfish farming conferences, observed day to day operations on several catfish farms, observed the H2 Visa process at a U.S. Consulate in Mexico, and attended cultural events celebrating the catfish industry in Mississippi. All of the names for people and business used in this paper are pseudonyms.

During my first entrée into the field as a guest on an industry tour, I met a farm manager who guided us around the catfish ponds. Before he exited the bus, I asked him for his business card and told him I was doing research on the industry. He said he wouldn't mind if I called him for an interview. He turned out to be a key contact, David Jimenez, mentioned in the introduction. He set aside time for me to interview him, he let me shadow him for a few hours on the farm one day, I ran into him at several conferences where we had the chance to have meals together and talk. Rather early in our association, when I called to schedule a time to tour the farm in October, he told me that he was going to be out of the country because he had to bring back the "Winter Crew" from Mexico. When I visited the farm, he had explained that his crew was made of almost entirely of H2 visa workers from Mexico. In the moment, I mustered the courage to ask whether I might go along to Mexico to see the H2 Visa process at work. To my great surprise, he said yes.

This paper is part of a larger project on work dynamics in the catfish industry. I focus on my interviews and field notes related to a three-day trip to a U.S. consulate in Mexico in Fall 2005 where I observed the transnational process of obtaining H2-A visa workers. This paper is based on the themes that emerged from open and focused coding of field notes from the trip to Mexico, an interview with a U.S. Consulate worker in the H2 Visa area, and interviews and field notes with David who allowed me to accompany him on his trip. This analysis by no means attempts to



definitively describe the H2 visa process for all workers, but instead, challenges future researchers to further explore interactions within Consulates as important elements of the transnational work process. As companies continue to utilize H2 Visas to hire laborers, the fact that this process “forms an integral part of the individual’s habitual life,” “is undertaken on a regular basis” and is “patterned and therefore somewhat predictable” may suggest that it is a practice related to “core transnationalism” (Guarnizo, 2000) that needs further analysis. What follows is an exploratory analysis of the H2 visa process with an emphasis on the day-to-day process that companies and workers follow to get temporary work visas. I highlight the role of key players in the “middle” of this process: the company representative (in this case, a catfish farm manager) and a U.S. Consulate Director. These agents have very different positions of power in this process and expose varying, and important angles on the ways that globalization and gender manifest themselves in everyday life.

### **H2 Visas and Workers in the Catfish Industry**

H2-A Visas are a form of temporary work visa granted by the U.S. government to individuals from foreign countries who “perform agricultural labor or services of a temporary or seasonal nature” (U.S. Department of Labor, 2010). U.S. employers must demonstrate that they have tried to employ U.S. workers, but could not. As a whole, in FY 2012 there were 65,345 H2-A visas issued by the U.S. to all 59 eligible countries (Wilson, 2013). Most H2-A visas were granted for the category “general farm worker,” (18.5%) and the top crops for H2-A workers were tobacco (9.6%), oranges (6.5%), cotton (5.1%), and onions (4.8%). 65% of all H2-A workers were requested in ten states, mostly in the Southeast (Wilson, 2013).

Workers in the sending country must apply for and receive the H2-A visas granted to a U.S. employer. Once workers receive the visa they must enter the United States within 10 days. The visa does not guarantee entry into the United States, however. A Consulate Director I interviewed described the visa as “permission to knock at the door.” The worker might be turned back at the border if the U.S. border patrol or Immigration and Naturalization Services officers find a reason to deny entry.

Once immigrant workers receive an H2 visa, time spent in the United States is generally no longer than 10 months (U.S. Department of Labor, 2010). Each visa has its own set of requirements for the worker and the U.S. employer. H2-A visas, for example, require that the workers are paid at least minimum wage, must be offered at least  $\frac{3}{4}$  of the hours stipulated in the work contract, and can refuse extra hours. The employer must provide safe housing at the work site and transportation to and from the sending country and the work site. Three meals a day at costs established by the U.S. Department of Labor or free cooking facilities must also be provided.

After the official time designated on the visa has expired (up to one year, renewable to three years), workers must return to their country of origin. During my interview with the U.S. Consulate Director, she mentioned a recent policy that required a selection of all workers to return to the U.S. consulate in the sending country to obtain a “reentry” stamp on their passport. This policy is designed to discourage people overstaying the visa.

While it might seem odd that U.S. employers in states with high poverty and unemployment rates would not have enough workers to fill their open positions, I found that the catfish industry in Mississippi was beginning to use H2 visas workers on some large catfish ponds. The Mississippi Delta suffers from high unemployment rates and is one of the poorest regions of the country with the average percent of citizens in the state living below poverty at 22.3% between 2008-2012 (U.S. Census Bureau, 2014). In Delta county regions poverty rates can be as high as 30-50% (Housing Assistance Council, 2012). This region has also been described as having a “plantation culture,” a holdover from slavery that is reflected in the unequal relationship between white landowners and poor African American and immigrant and migrant workers (see for example Cimini, 1991). Most media descriptions of this area leave the impression that it is one of the most rural, insular, “Southern” places on earth (Cobb, 1992). Yet the reliance on migrant workers has been going on for many years in the rest of the U.S. South in other industries (Peacock, Watson, & Matthews, 2005; Odem & Lacy, 2009; Zuniga & Hernandez-Leon, 2005), and it is time to explore the more recent dynamics of immigrant or migrant labor in the catfish industry.

The largest number of catfish farms in the U.S. is found in the Mississippi Delta. The catfish industry began in the 1950s in Arkansas and Mississippi and was vertically integrated by the 1970s. Many of the catfish farms are built on land that was once used to grow crops such as cotton or soybeans. Initially, “a farmer might have had one or two ponds he fed by walking along the levee, carrying a pail full of feed and broadcasting it out on the water by hand. By 1990, catfish had become a sophisticated megabucks aquabusiness” (Schweid, 1992, p. 6), and today, catfish is the leading aquacultural product produced in the United States (National Oceanic and Atmospheric Administration, 2011). The dramatic growth of the industry in the 1980s and 90s reflects the boom time for Mississippi Delta raised catfish with the height of production in this top-producing state reaching over 350 million pounds from 420 farm operations covering a total of 105,000 water acres in 1999 (Hanson & Sites, 2006). The value of sales in Mississippi was at its height in 1998 at \$307 million (Hanson & Sites, 2006). Between 2002 and 2013, however, the U.S. has seen a 55% drop in both catfish acreage and catfish processed with a significant negative economic impact on the state of Mississippi due to increased oil prices and foreign competition from Vietnam and China (Avery, Hanson, & Steeby, 2013).

## Findings

### **H2 Visas and a Farm Manager’s Perspective**

David Jimenez, the farm manager of a large catfish farm in Mississippi, does H2 visa related work that includes handling a vast amount of paperwork and money and traveling to Mexico and back to facilitate the Visa process. The paperwork includes those documents necessary to secure an appointment at a U.S. Consulate in Mexico and to prove his authority to act as the representative of the company and the forms and applications to be filled out by the H2 visa workers themselves. A company seeking H2 visa workers must go through several steps. First, a company must be certified by the Department of Labor. They must indicate why they need temporary or seasonal labor, whether that labor is agricultural or non-agricultural, and that they attempted to find U.S. workers, but could not. Second, an I-129 Petition must be filed with the Department of Homeland

Security which includes information on the company and income to be paid to workers. The third step is for the company to make an appointment at the U.S. Consulate at least ninety days before the visit. The company must send a letter verifying an individual's authorization to serve as the representative. The representative can be the owner of the company, an employee, or one of the workers applying for a visa (U.S. Department of Labor, 2010). Forty eight hours in advance, the Consulate must have an official list of the workers who will be coming for the appointment.

On the appointment day, a representative will drop off the workers' passports and application fees at the Consulate early in the morning. They must be batched together in the order of the list of workers sent to the Consulate 48 hours prior. Some substitute names are allowed if last minute changes must be made (with the exception of H2R visas). The representative returns to the Consulate at 2pm to pick up the documents.

On the second day at the start of business (7:30 am), the representative meets his or her workers on the U.S. Consulate grounds and makes sure the workers are lined up in the order on the list. The workers enter the Consulate (through a metal detector) and stand in line to be interviewed by Consulate workers. The workers first approach the windows to be fingerprinted, both left and right index fingers. They then return to line to await their interviews. Groups of up to 10 workers are called to the window where a Consulate worker on the other side of a clear plexi-glass window asks each person to place their right or their left index finger back on the fingerprint reader to insure their identity. They then ask questions of each worker (or the group, because they are working for the same employer): Where are you going? What will you be earning? How long will your job last? Have you ever been in the U.S. illegally? The Consulate worker checks the workers answers against various data bases of information they have about illegal immigration looking for any "hits" on FBI or Department of Homeland Security data bases. They also pay attention to how the workers present themselves and if they know the answers to the questions without hesitation. After the interview, the workers leave the Consulate and the Consulate workers decide who will obtain a visa and who will not. The representative is asked to return to the Consulate the next day at 2pm and they are handed the stack of passports, visas, and a list of who did not receive a visa. Workers who are denied visas do have the opportunity to

petition for another interview, but they must pay the application fee again. If they receive a visa, they leave for the U.S. on a company provided van or bus or through some other travel arrangement.

David carries a silver, metal brief case to Mexico to transport these papers, a portable printer to fix any mistakes on forms, and the money he needs to pay for the workers' visas, their travel, their lodging, and loans for spending money for the trip to Mississippi. My field notes indicate how much money it took to bring a crew of 25 back from Mexico in Fall 2005:

He showed me the figures he sketched out to try to calculate how much money to bring with him. Last fall's figures had the following items: 25X 100 for visas, 25X 125 for transportation, 1700? Or so for "loans" (money given to workers so they could make it before their first pay check), \$100 for a man who did a lot of calling around down there, \$500 for Sonia who does a lot of the paper work down there, and costs for David's hotel expenses, food, etc. The fall total added up to about \$8650. In the spring when he needs 70 people for the farm, and 40 for the processing plant, he estimates needing more like \$15,000 in cash. He decided to take traveler's checks this time in increments of \$500 after the Consulate workers told him he couldn't use a cashier's check. He tried to use his credit card, but there are limits on it, and one time the machine didn't work in Mexico. The first time he took \$100 bills and he was required to write down every single serial number on each one. Now he takes \$50s.

The paperwork and the money seemed to be stressful. David expressed anxiety about traveling out of the country with this amount of money and worried about being stopped and questioned by officials at Customs. Before he left, he spent time organizing application forms and, once we got to Mexico, he said he spent time in his hotel room making sure the workers' documents were in the exact order required by the Consulate. He told me stories of capricious Consulate workers who had denied access to the Consulate if one form was out of order or folded in an incorrect manner. David says that these rules change depending on who the director of the Consulate is at the time. As an illustration, he pointed to the fact that he had been allowed to bring a cashier's check last time, but was told it would not be accepted this time.

The afternoon we arrived at our destination in Mexico, I accompanied David to a hotel a few blocks away from ours. It was much smaller than our large hotel that catered to the city's many international business travelers. David reserved rooms in the smaller hotel to house the workers during the H2 visa consulate interviews. Usually this takes three days: day one--drop off of passports, day two--worker interviews, and day three--pick up of passports and visas. During my trip, however, there was a glitch in the computer system in the U.S. and while the workers were supposed to receive their visas on Thursday, they did not actually receive them until Monday. This required an extra four-day stay for the workers which greatly increased the workers' and company's expenses.

To get the paperwork in order for the first Consulate visit, David arranged for a place for he and his workers to meet to complete the process of filling out the application forms. He explained that last time, he just arranged for the men to meet him in his hotel lobby. The management of this large, international business hotel didn't approve of having these working-class men in their lobby and not so subtly told David to find another place to meet. As a result, this fall, David inquired about renting a conference room in the worker's hotel where he (and some hired assistants from Mexico: Sonia and her daughter) would double check the workers' application forms and identification. The representative and the workers are responsible for making sure that no misinformation is included on the forms so there was a level of tension in the room as Sonia and David read each form carefully and consulted with the workers about missing information or issues that might cause problems at the Consulate. Past visits to the U.S. (especially if they are illegal) were cause for debate about how a worker's form should be filled out. One man didn't have documentation of his military service and Sonia worked quickly to contact his wife so that she could fax this information. I sat in the room throughout this several hour process and helped place "Nation's Best Catfish" company stickers across the front of the workers' Mexican passports. The session concluded with Sonia and David calling all of the men into the room for a coaching session about the interviews the next day. Sonia told them to arrive on time, to dress neatly, and not to be drunk. She explained the fingerprinting process and suggested they wipe their finger dry on their clothes if they found that they were sweating. Most of this conversation was in Spanish, and David

translated some of it for me. The gist of the advice was to be polite and honest in your answers.

David's role at the Consulate seemed to be much like a courier. He arrived early the first day with his paperwork in his briefcase ready to hand off and then he returned at an appointed time to pick it up again. On the first day, we sat together on a cement block wall outside of the Consulate and waited in the early morning darkness as various lines began to form. Other company representatives gathered around the area where we were waiting, while people seeking tourist visas lined up along the wall of an adjacent hotel. As the sun rose, the security guards told the growing crowd of representatives to back away from the sidewalk to keep it clear. David kept his eye on the side door of the Consulate waiting for any sign of the worker calling for H2 visa representatives. When he saw him, he told me to get one of the white slips he was handing out and follow him into the building. I happened to have a black bag slung around my shoulders and David later told me that I looked like a representative. Apparently all representatives carry bags that hold the workers' passports and other paper work. David started pointing out the "regulars" and saying hi to the people he recognized. He complained when he saw a man walking out with a huge box over his head indicating that he received his passports earlier than the other representatives and that he was receiving special treatment. I talked to a young man from Colorado and asked him what he was doing there. He owned a construction company in Colorado and he was coming down to get workers. He said he had been doing it for a few years now. Some representatives are owners or managers of companies and others are hired by U.S. companies to do the work of getting the workers.

Once inside the building, we waited briefly in line and David handed off his documents. He was instructed to come back to the Consulate in the afternoon around 2pm to pick up the visa applications and passports. On the second day, David insured that his workers are lined up in the order he was handed their documents. He then waited outside while the workers entered the Consulate to be interviewed. Typically, on the third day, David returns to the Consulate in the afternoon and is handed the workers' passports and visas. He distributes them to the workers and then hands out "loan" money that will tide the workers over during their trip across the border and their

drive to Mississippi. Sonia is in charge of driving the van of workers to Mississippi. David takes a flight back to Jackson, Mississippi.

This brief overview highlights David's role as transnational labor flow facilitator. He is a part of globalization from the middle in several ways--negotiating and nurturing relationships with his own employer as well as his future workers and working the bureaucratic channels necessary for guest workers to cross national borders. He makes sure the paper work and the money is in order and he navigates the sometimes confusing bureaucratic requirements at the U.S. Consulate. While he knows the routine and is fairly confident navigating it, there is a lot at stake if anything goes wrong. If workers are delayed in getting the visa, the farm in Mississippi is left without workers temporarily. If workers are denied a visa outright, David will be shorthanded on the farm for the entire upcoming season.

In addition to these concerns, David is also dealing with the day-to-day needs of the workers, including lodging, travel, and money for food and management of their day-to-day work on the farm back in Mississippi. He works hard to establish a rapport with these men as he will be their boss, but he will also become involved in parts of their personal lives as he mediates conflicts between people in the apartments on the farm, problems with injuries and illness, and as he and his family are invited to join the occasional picnic or celebration on time off with the workers. He reinforces notions about an appropriate gendered division of labor in his job as well. He hires men to work on the catfish farms. A few women are hired to work in the processing plants. When asked why, David explains that men are well suited for the outdoor labor required on the farm while women are better at the detailed work needed in preparing catfish on the line. There is a wage gap built into this division of labor. Farm laborers on the H2 A visa make \$7.80 an hour and usually work 70 hours a week. The H2 B visa does not require a set rate of pay and therefore workers are paid the going rate at the processing plant (about \$6 an hour). They also work fewer hours. This means that women make far less than men in the H2 Visa arrangements.

David's gendered role encompasses a form of "transnational business masculinity" as he is moving in the same international social spaces as the transnational business class—largely comprised of men (Connell & Wood, 2005). But he also takes on the role of a kind of patriarch on the farm back



in Mississippi as there is a thin wall between work and home in a context where he lives in a house with his family on the farm and he supervises the housing and daily lives of the H2 Visa workers. David reinforces notions about gender and labor as he manages living arrangements on the farm. He expresses his dislike of hiring families or women because of the difficulties of housing them. He can put more men into one apartment with three to a room, while he feels he needs to put fewer women together, at most two to a room, “because they don’t get along as well as the men.” He also explains that housing a family also reduces the number of laborers he can fit into an apartment. A family of four, including a husband, wife, and two children takes up one apartment for just two laborers. If the same apartment were used for men, he could house six workers. This logic defines temporarily unattached men as the “real workers.” As David is the only person on the farm that speaks fluent English and Spanish, he is the lifeline for both workers and management in the H2 visa process. While this would suggest a position of great power, his place as a Mexican American farm manager places him in between in many ways (between white and black in Mississippi, between English speaking U.S. owners and Spanish-speaking Mexican workers, between work and home).

### **H2 Visas and a Consulate Director’s Perspective**

When I first asked to accompany David to Mexico, he said that he saw no problem. He explained that much of his time at the Consulate was spent waiting around and that he would be glad to have the company. His only hesitation was that I might not be able to obtain entry to the Consulate. Representatives are not allowed in the interview area and spend most of their time waiting outside of the Consulate. It turned out that I was able to obtain permission to observe the interview process for two days and even to interview the consulate Director. By observing the recruiting and hiring of these workers from the Consulate interviewers’ points of view, we have a glimpse into the role that the interviewers play in including or excluding various groups and individuals from the socially constructed category of the “good worker.” As we will see, gender plays a large role in this process.

On my first day accompanying David into the Consulate to drop off the workers’ passports, he helped me ask one of the workers how I could meet up with Tracy Parker, the current director of the Consulate. I had contacted

her by email and she knew I was coming, but the details of how and exactly where we would meet were a bit vague. The woman who had gathered the passports from the representatives walked to the other side of the room to inquire about my appointment with Tracy Parker. My field notes from this day describe the basic set up of the room and my level of discomfort being connected to this process of surveillance:

...The woman taking passports (bi-lingual, Mexican) asked me to sit in a chair and wait. She asked whether I had an appointment with Tracy and explained that she would be doing interviews with the workers and couldn't talk to me. I said she knew and I wanted to observe the interview process. This was all in English, lucky for me. A few minutes later a white woman with dirty blonde curly hair came walking up. She was wearing a tan sweater set and she had on a blue US Population Bureau ID tag around her neck. She said that I probably realized that the catfish farm workers wouldn't be interviewed until tomorrow because David just dropped off his forms/ passports. I said I'd like to observe the interview process anyway. I also asked to observe again on Thursday. and she said that would be fine. As we walked through 2 groups of lines Tracy pointed out that the tourist visas were to the left and the H2 visas were to the right. She explained that this is the low season so there were only about 100 people in line for H2 visas. During the high season (Dec/Jan) about 1200 workers come each day.

Tracy is very direct and straightforward and doesn't seem concerned by my presence. When we reached the end of the room, she introduced me to a guard and said I had her permission to observe. He questioned whether I needed something (a pass?) and she explained that I wouldn't be going inside the Consulate, but just observing here. She said I could sit in the blue plastic chairs and observe the process by standing up to listen to what is said in the group interviews. The men (and women) are called by group ranging from 1 to as many as 8-9 people. As we stood talking in front of the chairs, I felt uncomfortable as if she were holding forth without concern for all of the people waiting for a crucial decision about their livelihoods. With all of the men lined up and waiting to be interviewed behind me, I felt tense. She described that the position is on a 6-month rotation and that she was deputy director

and is now director of a team of 4. They bring in 2 more (local?) staff members to interview during the heavy season. Tracy told me a bit about the new H2R visa that allows for an easier return of workers, but has managed to complicate the paper work they're dealing with somehow.

Tracy disappeared behind a door with a combination press button box lock on it (Later, I came to understand that this was what they all referred to as "H World"—the offices where all of the H2A and B visas workers do their jobs). It seemed like 10 minutes or more before anyone came out. I sat there jotting notes about the conversation I had just had with Tracy, but fully conscious of the men standing in line waiting to be interviewed. I felt like "us vs. them"—with me being part of the surveillance apparatus. "The man."

As I first observed the interview process it seemed that there were several distinct stages. The workers enter the Consulate through the side door and go through the metal detector. They then stand in line until they are called to the windows to give their fingerprints, both right and left hand. They then go back to stand in line and wait to be called for "the interview." The Consulate workers emerge from behind the locked door in "H world" and sit behind glass-partitioned windows. My field notes give my first impression of the "the script" for the interview:

Interviewer motions men to step forward from behind a yellow line where they are waiting. (They have been directed several other times by a guard. Often the men start to move into the "wrong" line and then are corrected by the guard). Group moves forward and stands 2 deep in a narrow space between 2 partition walls that stick out about 2 feet from the glass window with a hole in it. All walls are cream colored and the floor is a grey painted cement. Once forward, Tracy asked where they are going to work in the US and their company. Sometimes they know the state, but they may not know the company's name. (She explained later that these questions have to do with the legitimacy of the company. Is the employer legitimate?) They may know a boss' name only. She then asked if it is their first time there (*primera vez?*) Today she said it was unusual because most of the workers were returnees. This

apparently makes the interview process easier. She then calls each man/or woman forward to place their finger (izquierda o derecha—left or right) specified by the consular behind the window. The small tan rectangular box has a red place where one places his finger. One man was given a towel to wipe his finger—might have been wet? The observer behind the glass motioned with gestures and a facial expression for him to rub it vigorously.

I noticed that during the part of the interview when the Consulate workers ask about whether the workers have ever been in the United States illegally or whether they have ever had any trouble with “la migra,” they use a louder voice, and a condescending tone. (The condescending tone I am interpreting may actually have more to do with the heavy American accent and slow pace of speaking I was hearing from several of the Consulate workers whose native language was obviously not Spanish). The questions were usually supplemented with a warning about the consequences of lying. Tracy explained that having had illegal time in the United States will not prevent you from getting a visa, but lying about having had illegal time there will. When I asked Tracy about this portion of the interview the next day, she confirmed that she likes to make sure that other workers waiting in line to be interviewed hear what she is saying. She thinks it is a warning to workers who might think about misrepresenting themselves.

During my interview with Tracy she explained a policy that drives the work of the Consulate workers. When people line up for their interviews at the glass partitioned windows in the Consulate, the interviewers behind the glass are asking questions and looking at documentation and records to make sure that the visa seeker overcomes what is known as “Presumption 214b.” This is the presumption that those seeking temporary work visas intend to stay in the U.S. In my notes from the interview with the Consulate director, strong economic and social ties in Mexico are seen as evidence that a temporary worker will come back to Mexico. As those seeking H2 visas usually do not have strong economic capital, family ties in Mexico help overcome the presumption that workers want to stay in the U.S.<sup>2</sup>

Young single men who have “weak” ties in Mexico and are seeking an H2 visa are presumed to want to cross and stay. One of the men intending

to work at the catfish pond was denied because he had relatives in Houston and the interviewer felt he had the risk of staying.

The Consular workers have a great deal of discretion in granting temporary visas. It is enough if they “doubt the motive” of the person seeking entry to the U.S. At one point, I asked the director why two women were sent to a row of chairs after their initial window interview. She explained that “Nothing was vibing with me” about their story. They were 28-30, never married, no kids, seeking domestic employment. They didn’t know where they were going in the U.S. so they were denied entry.

Interviewers often use presentation of self including dress and demeanor to determine whether a person is likely to return to Mexico. Tracy says they look for clothes or body presentation not typical of Mexico. When I asked for an example, she said, knuckle tattoos (which might indicate illegal gang ties in U.S.) or “stylin’ Houston Astros or Saints t-shirts” (which might indicate an “Amcit” (American Citizen) wife or relative in Houston or New Orleans sending clothes). These things might signal weak ties in Mexico and strong ties in the U.S. Even speech and body language is used as a way of determining intent to overstay the visa. The director mentioned a man who “walked like an American” and said, “Companea” without the “Spanish n” indicating that he had lived in the U.S. illegally before.

Overall, the director explained that “women have a harder time” getting H2 visas: If married, they are presumed to want to join their husband in the U.S. She mentioned that it is seen as more “culturally strange” for a woman to be seeking work as they are more likely to stay at home in Mexico. Single women are assumed to be crossing to become “camp followers,” exotic dancers, or prostitutes. Tracy says the Consulate interviewers watch for dressy clothes and heels, signs that these women are not going to do agricultural work.

The Consulate director’s role in the H2 visa process is another part of the bureaucratic middle. She is part of the team that decides who gets “permission to knock at the door.” The glass partition and locked doors inside the consulate physically separate the migrant workers from the consulate workers, signalling a formal, distanced relationship. They become part of the hurdle that must be crossed during a guest workers’ transnational journey to work on the other side.

Tracy and other Consulate directors are responsible to U.S. law. Decisions about who is granted a visa and who is not are guided by specific policies and procedures. These guidelines, such as Presumption 214 B, put the consulate interviewers in the position of scrutinizing the applicants with the assumption that they have something to hide and that they are trying to “beat the system.” Presumption 214B is not gender-neutral. It is based on assumptions about the appropriate gender of workers, so that married men who have family ties in Mexico are more readily seen as likely to return than single men or women. The large number of people seeking H2 visas every day requires that the face-to-face interviews be brief, perfunctory, and impersonal. In addition, the director’s job is assigned on a rotating basis with the express purpose of preventing favoritism between consulate interviewers/directors and certain companies or representatives seeking visas. But it is clear that human beings interpret policies and procedures and they must make sense of these fast-paced interactions using shorthand techniques and subjective interpretations of the situation. Tracy Parker’s description of the ways interviewers are trained to “read” body language and presentation of self as clues to whether workers are telling the truth is indicative of this. We need to know more about how consulate workers make sense of who is a “good worker” through gendered lenses. She also explained that various directors have different philosophies about the H2 visa program. She noted that a former director took a very “hard-line” approach to the interview process and required that workers know the full name of the company owner and the company they were going to work for. If they stumbled on either one, he denied them a visa. Tracy identifies herself as a bit more empathetic with the Mexican workers’ desire to earn a living for their families. She saw herself as facilitating a mutually beneficial labor exchange between countries, as long as the workers met the legal requirements. It would be informative to know whether either of these philosophies is embraced more frequently by men or women or whether certain types of (gendered) workplace cultures foster different approaches to the H2 Visa interviews.

## Conclusion

The flow of workers across national borders creates a new transnational existence for many. But most work on transnationalism has focused on the experiences of migrant workers with less attention to the perspectives of those with mid-range power. How does transnationalism look from the “middle?” In this study, we see that the farm manager negotiates national regulations for acquiring labor from another country and ensuring that the workers return on time. He travels to Mexico twice a year to bring back winter and summer crews, each time transporting money, passports, and documents necessary to complete the process. Back on the farm, David deals with the day-to-day reality of managing Spanish-speaking workers, mediating conflicts in their working and living arrangements. At Nation’s Best, he is the key facilitator of global labor flows. The owner and other managers in the company are not bi-lingual. David wonders what would happen if he left. He suggested that if he were in the owner’s position, he would make an effort to learn Spanish so that he would have some way of communicating with his laborers.

The Consulate director and other consulate workers spend their working days making life-altering decisions about which migrant workers will receive an H2 visa and which will not. The role of the Consulate worker is as a gatekeeper. They have the power to determine whether H2 workers really intend to return to Mexico. On days when interviewers talk to more than 1200 people, these kinds of quick judgments make the job exhausting and stressful. But the Director’s job is a temporary one as well. Due to concerns about favoritism, these posts at the Consulate rotate every couple of years. Tracy Parker said that after her stint in H-world, she would move from her current location and be assigned to another division.

Attention to the everyday interactions that sustain transnational labor relations tells us a complex story about gender. It highlights how gender is built into the very structure of these transnational arrangements. The Consulate workers’ job of interpreting whether workers overcome Presumption 214B—the assumption that they really intend to stay long-term in the United States—requires these workers to make assessments about who is a “legitimate worker” based on interview questions about social ties in Mexico and their “reading” of an individual’s presentation of

self. For the H2 A and B visas, married men fit the category of legitimate worker most readily because they are assumed to be the primary breadwinner in Mexican society and suited to do agricultural labor and other heavy labor. Women are assumed to be wives following husbands or single women crossing the border to engage in sex work of some kind. At the level of the H2 visa interview, women are much less likely to be granted a work visa than men.

This article has suggested how the dynamics of transnationalism and gender interface with people's everyday lives in one particular regional U.S. industry. It appears that the two sets of actors I have examined, the farm manager and the Consulate director see benefits in continuing this transnational labor flow. Working as a gatekeeper, the Consulate director sees her job as allowing deserving, hardworking men the opportunity to earn a better living for their families and screening out the "undeserving," for example, those who have spent time illegally in the United States. The farm manager finds the H2 visa workers to be reliable workers. The non-Spanish speaking owners of the company rely heavily on him to communicate with the workers in Spanish, manage their work and housing, and to accomplish all of the paperwork and travel necessary to bring back winter and summer crews. While David does not make the final decision about whether to hire local or Mexican labor, it seems that the company wants him to continue (and increase) his reliance on H2 Visa workers. The migrant workers have worked at the catfish farms for several years in a row which indicates a desire, on their parts, to continue this employment relationship.

As this set of transnational relationships endures, sociologists and other scholars should continue to study how people experience them in their everyday lives and how the processes themselves disrupt and/or maintain systems of inequality. This preliminary glimpse into H-world suggests that a more extensive analysis of the H2 visa process and other guest worker programs from a transnational feminist perspective and gendered organizations perspective is necessary. While we benefit tremendously from theoretical and empirical analyses of the role of transnational capitalist systems (at the most macro level) and the experiences of workers who accommodate and resist these systems (at the most micro level), I believe we need more attention to the organizational practices and processes that



maintain and have the possibility of disrupting inequality in the middle. The process of applying for and receiving H2 visas is a prime example of a practice and set of policies underpinning transnational labor relations that is ripe for further analysis. Attention to the ways that workers are defined as “desirable” or not requires that we attend to the role that gender, race, class, sexuality age, and national origin play in constructing the “good worker” within a transnational space.

## Notes

<sup>1</sup>See for exceptions a focus on the tree planning industry in Alabama (McDaniel & Casanova, 2003; Casanova & McDaniel, 2005) and North Carolina H2A guest workers (Smith-Nonini, 2005, 2009).

<sup>2</sup> Tourist visas, on the other hand, are granted by asking about the kind of economic capital the individual has in Mexico. The people in the H2 visa line and those in the tourist visa line are assumed to have very different class backgrounds. The Consulate director suggested that she liked working in “H-world” better than in the tourist line because she didn’t have to deal with the sense of “entitlement” those in the tourist line would convey.

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