

**AMERICAN CITIZEN SERVICES:
CONSULAR INTERNSHIP, GUADALAJARA, MEXICO**

Master of Arts in Law and Diplomacy Capstone Project

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Introduction.....	2
Philosophy of Work	6
Learn the culture of the organization.....	8
Learn about the country you'll be working in	12
The issues that tie the countries together	18
The issues that divide the countries	20
The Work of the Consular Officers	21
My Work.....	25
Bibliography	27
Appendix 1 Data Analysis project.....	29
Appendix 2 Diagrams.....	Not for publishing

Introduction

Over the summer of 2013, I was selected to work for the U.S. State Department's American Citizen Services (ACS) department at the U.S. Consulate in Guadalajara, Mexico. This was an amazing opportunity for me to see the interaction of international law and diplomacy (my chosen field of study) up close and in action. The inner workings of this busy consulate and a personal look into the vital role it plays in managing an intricate relationship were to be bared to me. How was I to prepare for this? What could I offer the consulate? How did the consulate in Guadalajara fit into the bigger picture of Mexican-American relations? And what challenges was I likely to face? All of these questions consumed me. This was the starting point for the work herein. Ultimately, my questions led to larger ones of philosophy and strategy, and I began to see the situation as a nested set of questions and ideas.

At the core of my sphere was the current state of Mexican-American relations, cataloguing the ties and cleavages of both systems; surrounding that were questions of

the role the Consulate plays in peoples' lives and implementing U.S. policy, the nature of the State Department itself and how it internalizes policy, and the construct of a government bureaucracy. Finally, the idea of a political social theory and how it relates to work, or a philosophy of work itself allowed me to see the larger picture. Armed with the larger picture I could better place myself inside it, to be a more effective intern by realizing how I fit in as a tiny part. The exercise of this analysis was a synthesis of what I had learned in my graduate studies, which ranged from history, to international law, to U.S. foreign policy, and finally grand strategy. Systematizing and creating a full structure helped me to develop a theory of consular practice in Guadalajara.

My internship did not exactly go as planned. I began to research Mexican-American relations and formulate a research project on dual citizenship. There is no international convention pertaining to multiple citizenship- each country determines its own national laws. These laws may be contradictory; some countries prohibit dual citizenship in all instances, while others have no rules on it at all. The U.S. allows for dual nationality by birth, but notes that those who acquire other citizenship in another country by applying for it "...may lose U.S. nationality. In order to lose U.S. nationality, the law requires that the person must apply for the foreign nationality voluntarily, by free choice, and with the intention to give up U.S. nationality." The differentiating factor is one of nationality vs. citizenship; nationality can happen by automatic operation of differing national laws, while citizenship is a matter of choice. Dual nationals are subject to the laws of both countries, though the country where a dual citizen is located at any

given point generally has the stronger claim to that person's allegiance.¹ Even now, if a person becomes a naturalized U.S. citizen, he or she must renounce his or her previous citizenship. According to Immigrations and Customs Enforcement (ICE), "Some cases that have been brought before the Department of State in the past involve people who became naturalized US citizens but maintained a residency and life in their country of previous citizenship. While most countries recognize the Oath of Allegiance in the United States to be a binding contract regarding one's citizenship, other countries have stated that the oath has no effect on their own citizenship laws. The US government used to aggressively pursue these cases to get the dual citizens to renounce their citizenship, but this is no longer the case. Additionally, young children who naturalize in the United States along with their parents didn't take the Oath of Allegiance — even though their parents did — and can technically still hold on to their previous citizenship."² Thorny legal problems can arise in cases of dual citizen couples that divorce (where they file can determine the rules and outcomes), especially where dual-citizen child custody issues result – money is divisible but children are not. I planned to research and analyze these problems and get data on them, a topic for which I could find no existing reports.

In nearly every book or article on the topic of Mexican-American relations transnationalism is mentioned, but data on actual dual citizens is lacking or notably vague. At the same time, cross-border migration is at an all-time high. I thought the State Department the likely organization to have accurate data on how many dual citizens there are, where they are spread, and how often they cross borders. Neither Mexico nor the

¹ U.S. Department of State, U.S. Citizenship Laws and Policies: Dual Nationality April 12, 2014 <http://travel.state.gov/content/travel/english/legal-considerations/us-citizenship-laws-policies/citizenship-and-dual-nationality/dual-nationality.html>

² <http://www.legallanguage.com/legal-articles/dual-citizenship-united-states/>

U.S. has “exclusivity” statutes that restrict citizenship to individuals who live and work in his or state of citizenship. In fact, renouncing citizenship is a multi-step process for both, that includes paying fees, giving a cogent explanation, and appearing in person before an immigration adjudicator (I witnessed one such renunciation over the summer.)

Despite the best-laid plans, there were two issues that fully stopped my research. First, interns are not allowed access to databases that contain personal information, no exceptions. Second, and more surprising, the State Department acknowledges that its own information on dual citizens is incomplete. Determining a person is a dual citizen is based on self-reporting, which is notoriously inaccurate. Also, not every person is checked every time at every border crossing - it is at the discretion of the border agent. Dual citizens may acquire multiple passports and use them at his or her discretion, so there are likely to be unreported uses. Finally, information on dual citizens is not shared between the U.S. and Mexico except in rare circumstances (eg. suspected terrorists.) In those rare cases, the Department of Homeland Security is the owner of the information, not the State Department. The State Department may, if researching a person’s record, note some type of alert, but the information and specificity is classified.³ In short, my plan of research for the internship was gone before it began.

Luckily, I was prepared to go with the flow. Adaptability is skill I’ve always tried to maintain, and my prior work experience taught me that keeping an open mind can lead to some interesting avenues. The *Harvard Business Review* rates adaptability as “the new competitive advantage in a globalized world.”⁴

³ <http://www.dhs.gov/international-engagement-results>

⁴ <http://hbr.org/2011/07/adaptability-the-new-competitive-advantage/ar/1>

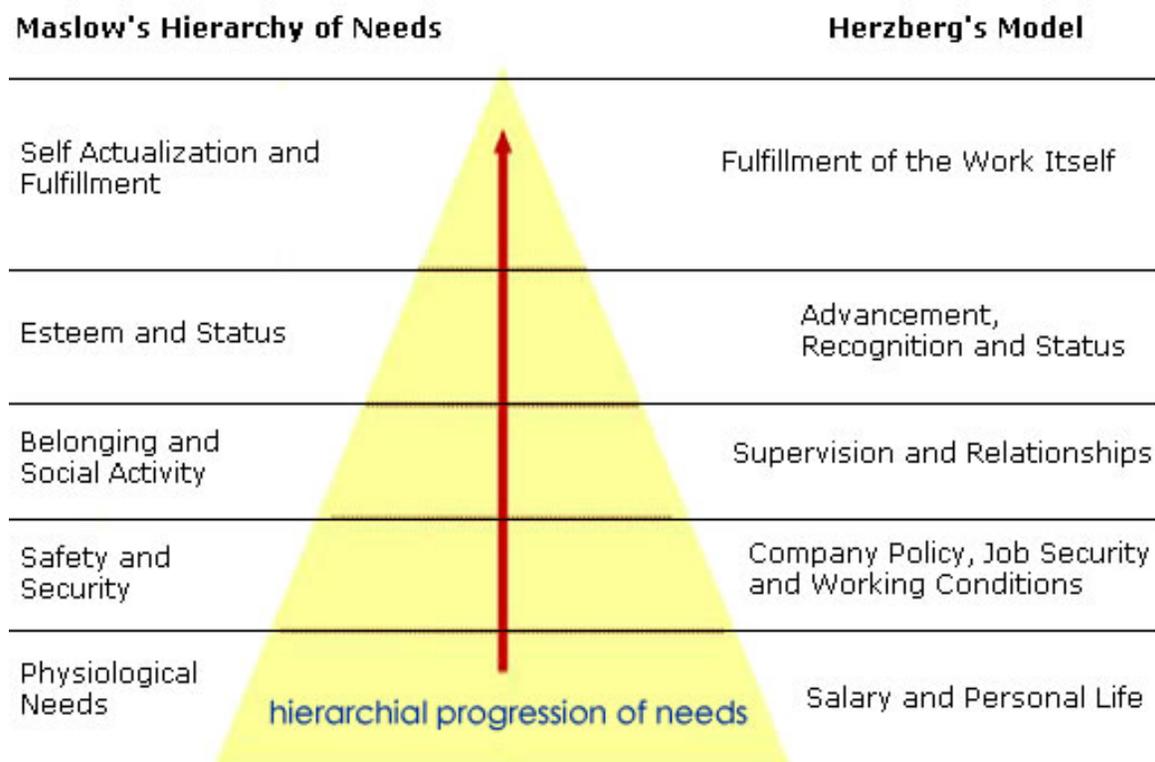
Philosophy of Work

One task many happily employed, engaged businesspeople indulge in is creating a worldview or framework that contains his or her employment position and contributions. This helps to put work in perspective, and give a sense of purpose to work of all kinds. On a small level it can help to reframe little or unwanted tasks; on a grand scale it may be called a philosophy of work, providing a fulfilling career and a sense of accomplishment. It is a useful tool to put to use when small or irritating tasks fill up a work schedule for a period of time, or when writing a yearly review, or when building a career plan, as many employers require.

Building a philosophy of work is a lifelong process, and it will change over time depending on needs and desires. However, at any given point it is helpful to exercise some introspection. Developing beliefs and strategies can assist in finding solutions to problems, from simple troubleshooting to relationship management. It can also help to uncover your expectations and those of others around you. Learning other people's philosophies of work can help build your own successful one.

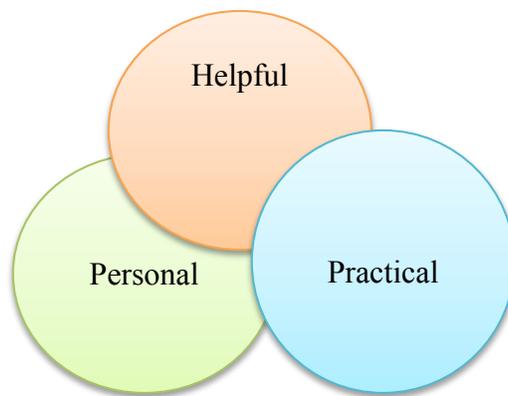
A good place to start is familiarizing oneself with influential thinkers on the subject. One tenet of business management theory that is often cited by business leaders is Abraham Maslow's Hierarchy of Needs, which places human motivation in a pyramid structure; those whose motivations come from a place of fear are at the bottom of the pyramid, building to a self-actualized and highly productive top. Frederick Herzberg further advanced motivation theory by researching 'job enrichment', as a need-based model of satisfaction called two-factor theory, stating, "We can expand ... by stating that the job satisfiers deal with the factors involved in doing the job, whereas the job

dissatisfiers deal with the factors which define the job context." Factors include items such as salary, recognition for work, job security, and supervision. In other words, internal motivations and external factors combine to create satisfaction; in turn this interplay largely informs one's attitude to work. Critiques of Maslow and Herzberg's theories point out that neither theory is reliably predictive and that there are often conflicting ideas and factors for job satisfaction. Nevertheless, both the hierarchy of needs and the two-factor theory are highly applicable to building a philosophy of work. (see fig. 1)



My own philosophy after 20 years of work experience, is that I am happiest and most fulfilled when I have work with the following attributes: 1) I have personal interaction with a wide variety of people 2) I am working on strategic or practical projects with

tangible outcomes 3) The work is somehow helpful to people. My “happy spot” in a Venn diagram:



Through my work history and reviews, I recognize my strengths- data analysis, project management, people management, problem solving, research, and strategy planning. These are the skills that I planned to highlight for the Consulate, while being prepared for anything. While I planned to forgo the base of Herzberg’s model by taking an internship and forgoing salary and security, I hoped to end up learning the parameters and depth of the work, and to know, ultimately, whether it was the right career path for me or not.

Learn the culture of the organization

The State Department works to shape foreign policy, implement foreign policy, and to promote mutual understanding of foreign peoples and governments. It works on cross-cultural issues such as human rights, the environment, trade, conflict and stabilization, and many more. The corps of over 14,000 professionals in nearly every country represents, operates, negotiate, recommends, reports, and builds foreign policy every day, as part of a federal government that has 4.3 million employees.⁵ The State Department is not the only branch of government that creates foreign policy: The military, the President's National Security Advisors, and Congress all have a say in how the U.S. faces the world and prioritizing foreign engagement. Additional organizations, including the Defense Department (DoD), which applies the lens of national security to foreign policy, and the Central Intelligence Agency (CIA), which plays a prominent role in gathering foreign intelligence, are actors and organizations that directly complement the State Department. They seek to inform policy makers (as do special interest groups), and compete for resources.

Because of the sheer size of the State Department and by nature of the interagency process that builds policy in the government, it can be described as a classic "bureaucracy." This use of the word "bureaucracy" is not meant in the negative sense that some people or businesses describe it, connoting an organization that is rigid, tightly controlled, and filled with paperwork - but rather in the sense of the famous sociologist Max Weber, who described it as a rational, efficient, structured, cost-effective

⁵ <https://www.opm.gov/policy-data-oversight/data-analysis-documentation/federal-employment-reports/historical-tables/total-government-employment-since-1962/>

organization.⁶ Bureaucratic organization, to Weber, is the privileged instrument that has shaped the modern polity, the modern economy, and modern technology. Bureaucratic types of organization are technically superior to all other forms of administration, much as machine production is superior to handmade crafting. However, Weber also recognized that bureaucratization was bound to have adverse effects on a liberal social order built around the principles of individuality and personal self-realization. The plurality of the American system of government means that the policy process is continually subject to conflict and discussion. Government agencies must compete with each other to advance their position, while defending their agency from attempts to weaken it.

Sociologist Eran Vigoda-Gadot writes that, “Within agencies and organizations, and in the inter-agency process there is a tension between “self-steering” and “self-organizing” governance, and policy finds its way through an understanding of the two. Governance is ultimately concerned with understanding who or what steers society.⁷ He also points to an important irony: Economic growth is inversely correlated with discontent. “Even as modern nations grow economically, they still face increasing political and social problems. There is a disconnect between strategies for bridging democracy and bureaucracy...Democracy and the bureaucracy seem to have two separate origins and differing assumptions about class, domination, separation of powers, and contradictory ideological understandings of how a state should be efficiently run.” This theory, if it can be proven, may help explain why there is so much tension on a regular

⁶ Max Weber, *The Theory of Economic and Social Organization*, Trans. Henderson and Talcott Parsons. (New York: Oxford University Press, 1947), 9-10, 69-71.

⁷ Vigoda-Gadot, Eran, “Building Strong Nations: Improving Governability and Public Management, 2009

basis between the State Department and the Legislative, and sometimes the Executive, branches of government. Lawmaking is a much more democratic process, and the Executive branch functions more like an autocracy than a bureaucracy.

What does it mean then, to fit into a bureaucracy like the State Department? The State Department operates hierarchically, thus most policy decisions move from the top down, as does most of the planning. However, there is leeway in the implementation of policy, and in execution of tasks. Intern opportunities and experiences will vary from place to place. Leaving your ego at the door and asking how you can help, rather than pursuing the course of action that will most help you, is important. It can be a challenge for offices overseas, even when they have asked for help, to know exactly what they can do with an intern, because interns don't share the same level of clearance and there are extensive rules protecting personal information. Intern etiquette requires listening, volunteering, and being respectful of boundaries. Nonetheless, interns report a high degree of hands-on work and knowledge gained.⁸ It's also nice to know that the State Department ranks third overall in government agency employee satisfaction.⁹ In my case, I ended up doing a research project the ACS department needed, creating business documents for analysis and training purposes, and in the process I got to understand every role and important task the department does. This overview ended up helping me understand consular work in a way that wouldn't have happened if my original project had been approved. In other words, I got more out of the experience, *and they got more out of me* by finding common goals and producing the work they wanted.

⁸ <http://www.glassdoor.com/Reviews/US-Department-of-State-Reviews-E32768.htm>

⁹ http://www.washingtonpost.com/politics/best-and-worst-places-to-work-in-federal-government/2012/12/12/3cacb7d8-4472-11e2-8061-253bccfc7532_story.html

Learn about the country you'll be working in

There is no question that Mexico and the United States are growing more intertwined than ever. Globalization has increased the flow of people and goods in both directions. Huge numbers of Mexicans travel to the U.S. for work and pleasure, while Americans travel for pleasure and to live in return. Families live on both sides of the border, creating emotional and financial ties. Over 1.25 billion dollars of trade and roughly one million legal border crossings happen every day between the two countries. Almost a million American citizens live in Mexico, and more than 20.3 million U.S. tourists traveled to Mexico in 2012 making it the top foreign vacation destination.¹⁰ As of 2010, Mexican-born immigrants accounted for approximately 29 percent of the nearly 40 million foreign born residing in the United States, making them the largest immigrant group in the country by far.¹¹ There are about 5.4 million legal immigrants in the U.S. from Mexico who are eligible to become American citizens, but their rate of naturalization is 36 percent, only half that of all legal immigrants from all other countries combined.

Mexicans are also the largest group of legal permanent residents. Reasons for not naturalizing include language barriers, the cost of filing the application (\$680) and concerns about the citizenship test.¹² Additionally, a new body of work by American Studies scholars suggests that a transnational identity of Chicanos, particularly in the border regions with Mexico, form a new social, cultural, and geographic space. This

¹⁰ <http://www.state.gov/r/pa/ei/bgn/35749.htm>

¹¹ <http://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states-0>

¹² <http://www.pewhispanic.org/2013/02/04/the-path-not-taken/>

transnational or postnational identity has been growing since the 1980s, creating a group of people that wear nationality and citizenship as a convenient suit of clothes, depending on their immediate needs and surroundings.¹³ Fluid nationality fits well within the postmodern construct of fluid identity in which defining one's self depends on the audience or situation, without affecting the 'true' meaning of self.¹⁴

Because of the large numbers of Mexican-Americans in the United States, and because Mexican-American families are large with an average 3.78 people per family vs. the national average of 2.4 per family, the Mexican-American population continues to outpace other groups of ethnicities in the U.S.¹⁵ Many of these families have relatives on the other side of the border. Current U.S. immigration policy favors family reunification as the largest of four major avenues through which individuals qualify for admission and lawful permanent residence in the U.S., accounting for approximately two-thirds of total permanent immigration each year. In 2009, 66.44% of total immigrant visas were granted to family members. Broken down by country, Mexico accounted for 20% of the total immigrant visas for family members, a figure of 209,187 people.¹⁶ Extrapolating from this data, Mexican families use legal family-based immigration routes on a greater level than other immigrant families. In other words, our current immigration strategy is supporting the creation of more transnational Mexican-American families. The work of checking these family members' backgrounds and ultimately adjudicating the visas for family is one of the Guadalajara Consulate's major tasks.

¹³ <http://www.asjournal.org/archive/57/201.html>

¹⁴ http://www.academia.edu/230389/Transnationality_as_a_fluid_social_identity

¹⁵ <https://www.census.gov/prod/cen2010/briefs/c2010br-14.pdf>

¹⁶ <http://www.migrationpolicy.org/article/family-reunification>

The Consulate General of Guadalajara, Mexico is one of the five busiest American Citizen Services departments in the world.¹⁷ It is responsible for consular services in the states of Jalisco, Aguascalientes, Colima, and Nayarit. The busiest section of the Consulate is the Visa Section, which processes over 1,200 applications for non-immigrant visas every day. However, the region is also home to the largest resident population of U.S. citizens outside of the United States, about 50,000. These are a combination of retirees and transnational families. An additional 100,000 U.S. citizens are tourists in the region on any given day. This creates a high demand for citizen services including issuing passport and reports of birth, notarizing documents, assisting when a U.S. citizen dies, and visiting U.S. citizens that are imprisoned to ensure that they are treated in accordance with the law.¹⁸

By far the largest task of the Guadalajara Consulate is the non-immigrant visa application review and interview process. In the course of a three-minute interview Consular Officers must decide whether the interviewee is legitimate, if they have the resources to be a tourist in the U.S., if the reason for their visit is genuine, whether the person is likely to return back to Mexico on schedule, and if there are any holes in the narrative that may indicate suspicious activity. It's a difficult job, though the Foreign Service Officers are well trained. The acceptance rate for Mexico for tourist visa interview applicants is 67%, which is criticized by protectionists in the U.S., who point out that about 50% of illegal immigrants (of all nationalities) are estimated to be visa overstays.¹⁹ The sheer volume of interviews and the focus on visa applicants as a

¹⁷ Susan Abeyta, U.S. Consul Chief of Mission, Consulate General, Guadalajara, Mexico

¹⁸ <http://guadalajara.usconsulate.gov/about-us.html>

¹⁹ http://cis.org/us_visas_still_easy_to_get.html

diplomatic tool, meaning a bridge between countries, is at odds with a law enforcement mentality and/or a Homeland Security viewpoint- it is not a comfortable position.

Nevertheless, serving on the visa line is a very important role, and one all career Foreign Services Officers perform early in their careers. The request for issuance of more tourist visas is a key bilateral topic for many countries including Mexico, and in many instances on a personal level this is the “face of America’s government” to the world. Due to the sheer volume of work, some of the Guadalajara Consulate’s background checks on candidates is outsourced to other Consulates in Mexico.

The Mexican middle class, with secondary-level educations and enough disposable income for trips to Disneyworld has increased dramatically in the last decade, complicating the decision for the Consular Officers. Traditional indicators of financial security such as home ownership and salary may not apply. As William Both and Nick Miroff wrote in their March 17, 2012 *Washington Post* article on Mexico’s middle class, “The exact size and shape of this new class ... is hard to measure. Counting the middle class in Mexico (pop. 114 million) is not a straightforward calculation as it is in the United States, where a 1040 tax return and a Zip code define who’s who on the economic scale. In the developing world, ... the middle class can be defined by what its members consume, and so a Mexican homeownership household with a new refrigerator, a car and a couple of cellphones is considered middle-class — even if the combined salaries of the members of the household would make them miserably poor in Washington.” This middle class is clamoring for tourist visas, and is not as likely to overstay visas as in the past.

One cannot mention the legal migrations between the U.S. and Mexico and ignore the illegal ones. The U.S. Census Bureau and Pew Research agree that the number of illegal immigrants in the U.S. is about 11.7 million - of those, about 60% are Mexican.²⁰ Pew Research also noted a sharp decline in illegal immigration from 2007-2009 corresponding with the U.S. national recession, though recent indicators show rates may be increasing again. Experts now predict a modest increase, noting "Labor demand in the U.S. is still slack and wages are eroding, whereas there are jobs in Mexico and wages are slowly rising as labor force growth there decelerates," said Douglas Massey, a professor of sociology and public affairs at Princeton University who is co-director of the Mexican Migration Project.²¹ Mexico's economy has been trending at about a 4% growth rate year-over-year while the U.S. experienced negative growth 2008-2011.²²

While the actual number of illegal immigrants who left because of the recession is unknown, a key indicator is the value of remittances sent from the U.S. to Mexico. The vast majority of illegal immigrants cross the border for economic opportunities in the U.S., and send money to support their families back home. As former Florida Governor Jeb Bush stated on April 6, 2014, illegal immigration may be 'an act of love.' A Pew report based on data provided by the World Bank indicates that US residents are responsible for 98 percent of the payments sent to Mexico. Many of the industries that were hit hardest by the recession are also the ones that happen to rely on Mexican labor, most notably construction. World Bank figures show a decrease from a high of over \$30

²⁰ <http://www.pewresearch.org/2013/04/17/unauthorized-immigrants-how-pew-research-counts-them-and-what-we-know-about-them/>

²¹ <http://www.nbcnews.com/news/other/economy-rebounds-illegal-immigration-rise-f4B11233735>

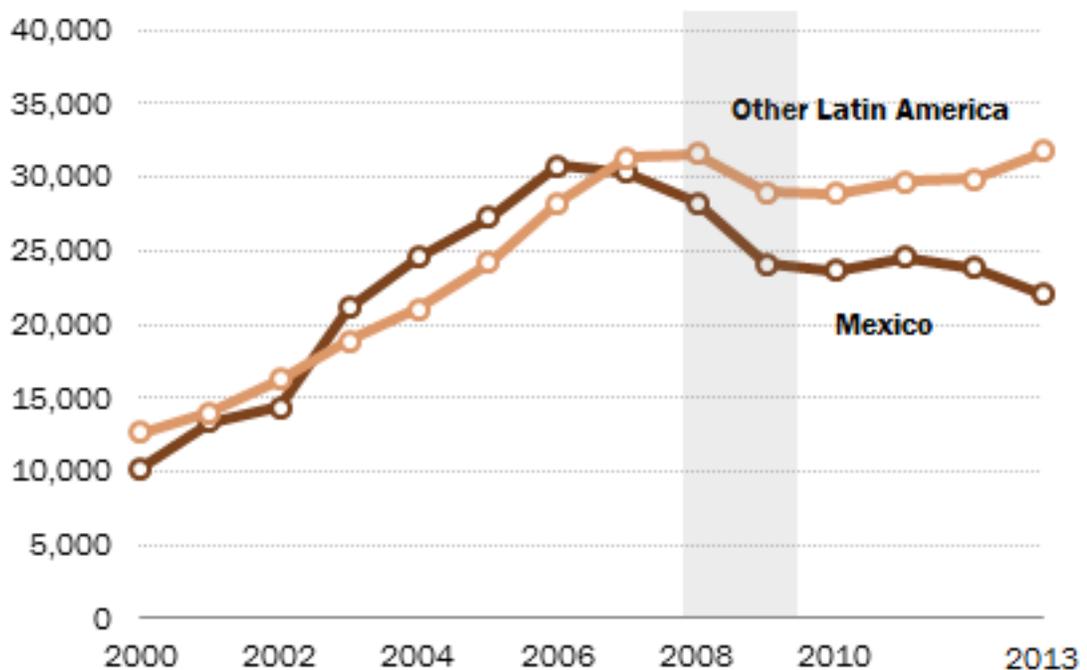
²² <http://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG>

billion in 2006 to approximately \$22 billion in 2013. (see figure 2 below) A rise in the number of deportations under President Barack Obama and heightened border enforcement may also play a role.

FIGURE 1

Total Remittances Received in Latin America and Mexico, 2000-2013

In millions, 2013 U.S. dollars



Notes: Shading indicates U.S. recession. 2013 are World Bank estimates. "Other Latin America" comprises Argentina, Bolivia, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela. Remittance flows for 2005-2013 use a different methodology than 2000-2004; for more details see text box.

Source: World Bank Annual Remittances Data Inflows, Oct. 2013

<http://go.worldbank.org/092X1CHHDO>

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The issues that tie the countries together

Mexico and the United States have a long history of cooperation on many issues, including trade, environmental issues, communications, and education. There are several binational groups that work on solving problems jointly, including an Executive Steering Committee for border management, a binational Group on Bridges and Border Crossings, and Border Liaison “sister cities”, where U.S. and Mexican consuls work on boards to deal with local infrastructure, possible sovereignty violations, the treatment of foreign nationals, and transnational public health issues.²³

On security issues, Mexico and the U.S. cooperate under the auspices of the Merida Initiative, a narco-trafficking and anticrime assistance package that was first funded in 2008. The initiative provides equipment and training for Mexican police and military forces, as well as institutional strengthening in order to combat the conditions under which the drug trade has flourished. Both governments share intelligence operations, and some point to the February 2014 arrest of Joaquin “El Chapo” Guzman, the FBI’s most-wanted man and Mexico’s most wanted drug trafficker as an indicator of its success.²⁴ Mexican authorities arrested another 69 drug kingpins in 2013.²⁵ Points of contention occasionally impede cooperation- Despite this cooperation, friction remains; Mexicans continue to argue that Americans’ appetite for illegal narcotics is the root of their problems with organized crime. Meanwhile Americans are quick to blame Mexico’s weak rule of law, making the country a haven for competing cartels.

²³ <http://www.state.gov/r/pa/ei/bgn/35749.htm>

²⁴ <http://www.fas.org/sgp/crs/row/R41349.pdf>

²⁵ Dudley Althaus, “Mexico 2013 Target List: Many Zetas, Little Impact,” In *Sight Crime: Organized Crime in the Americas*, December 23, 2013.

The North American Free Trade Agreement, or NAFTA, which came into force in 1994, is one of the most significant trade blocs in the world. NAFTA ties trade and investment between Canada, the U.S., and Mexico. The elimination of tariffs and realignment of the manufacturing sectors has allowed Mexican exports to accelerate, making it the single-largest source of imports and the United States' third largest trading partner.²⁶ Between 1993 and 2010, trade among NAFTA countries more than tripled, while business investment in the U.S. rose 139%, compared to a 45% increase between 1979 and 1993.²⁷ Former negative predictions of NAFTA such as hurting the American manufacturing base, suppressing U.S. wages, reducing Mexican wages, and putting the environment at risk have all been proven myths rather than facts.²⁸

One key long-term product that ties the countries together is oil. Mexico has exported oil to the U.S since 1911, and is the secondary exporter after Canada. Mexican oil imports are crucial to U.S. energy policy because they are non-OPEC related, and because the relationship is symbiotic; about a third of Mexican oil is imported, refined in the Gulf States and then returned back as an export.²⁹ Constitutional reforms in 2013 allowed foreign direct investment in Mexican oil for the first time, and American firms are already collaborating and working toward further development, particularly in deepwater Gulf of Mexico sites.³⁰

²⁶ <http://www.stratfor.com/weekly/nafta-and-future-canada-mexico-and-united-states>

²⁷ <http://www.ustr.gov/trade-agreements/free-trade-agreements/north-american-free-trade-agreement-nafta>

²⁸ <http://www.ustr.gov/sites/default/files/NAFTA-Myth-versus-Fact.pdf>

²⁹ <http://www.eia.gov/countries/country-data.cfm?fips=mx>

³⁰ <http://presidencia.gob.mx/reformaenergetica/>

The issues that divide the countries

Mexico and the U.S. have a contentious history; diplomatic relations have been severed and reestablished three times over issues of territorial occupation and property disputes.³¹ The two countries are divided by language and culture, with Mexico having a Spanish colonial heritage, a largely mestizo population, and a predominant Roman Catholic religion, in contrast to the U.S., which is largely Caucasian, and multi-cultural. Attention to Mexico from the U.S. has been sporadic and often focused only on what changes or needs the U.S. brought to the table.

The U.S. often ignores Mexican requests for policy change. For example, cooperation on attacking narco-trafficking in Mexico is highly pursued by the U.S. Government, while the application of the death penalty for Mexican citizens who commit crimes in the U.S. (particularly in Texas) has been repeatedly determined a “state prerogative” despite repeated pleas for cessation from Mexico. Mexico outlawed capital punishment in 2005, but had not used it since 1961, viewing the subject as a “human rights” issue. The Mexican government has even offered to repatriate criminals to impose life sentences in their own prisons rather than face execution in the U.S., but the idea has been rejected. Mexico currently refuses to extradite suspects to the U.S. that may end up with the death penalty.³²

The largest factor dividing the two nations is the asymmetry of power and influence between the neighbors. Economically, politically, and culturally the United States exerts a huge gravitational pull on an international and regional scale. The U.S.

³¹ <http://history.state.gov/countries/mexico>

³² <https://www.aclu.org/blog/human-rights-capital-punishment/texas-shouldnt-just-did-execute-mexican-national>

has not always been friendly to Mexico, and has actively meddled in its affairs several times in history. All Mexican students learn in school about American interference in the Mexican Revolution in 1914, while only a few U.S. students are taught about it.

But the biggest difference in attitudes between Mexicans and Americans might be found in the perceptions of why the asymmetry between both countries exists. According to Mexican think-tank CIDAC, both Mexicans and Americans have a shared impression that Mexicans are hard working people (78% and 76% respectively) while only 25% of Mexicans think that Americans are hard working. A full 70% of Americans polled believed that the wealth of their country is due to it being a free country with work opportunities, but only 22% of Mexicans agree; Mexicans believe that US wealth is the result of exploiting other people's wealth, 62%.³³ While American generally have positive views of Mexicans, the country remains an afterthought for many. Mexicans, on the other hand, have strong and generally suspicious attitudes towards the United States. There is both a recognition that the United States provides a significant opportunity for Mexico as a partner in trade and a home for millions of Mexican, and a deep worry that the United States will try to exploit Mexico for its own gain.

The Work of the Consular Officers

As I witnessed, in the Guadalajara Consulate, the American Citizen Services department's most frequent task is creating passports for American citizens, for which they have 80-100 applications and interviews every day. In each case applicants must provide documentation of proof of citizenship, and be interviewed in person. Renewals

³³ http://www.cidac.org/esp/cont/reportes/encuesta_cidac_zogby.php

are fairly straightforward, but because of high instances of fraud, first time passport applicants, are carefully reviewed and evidence is recorded. Primary and secondary evidence must both be available. Primary evidence is a certified, long form birth certificate with safety features, or government-issued certificates (e.g. Naturalization certificate.) Secondary evidence includes doctors' records, or immunization records. For minors, both parents must sign off on a passport in order to prevent custody problems. Additionally, children over 12 require school records to prove identity. In 2012, the State Department reports it investigated over 3900 cases of suspected passport and visa fraud, though statistics by country are not available.³⁴ I witnessed seven passport fraud investigations over the internship; six of them were verified cases of fraud involving falsified American birth certificates; one turned out to be genuine.

The second most common task, often done in conjunction with passports for children, is the Citizen Report of Birth Abroad (CRBA), which establishes citizenship. These reports required birth certificates and proof of doctor's visits, as well as filing within two years of birth. There were approximately twelve interviews for these reports in Guadalajara each day. In two cases, American couples were attempting to get passports and CRBAs for children born in Mexico that were not their own, in other words they were human traffickers who had falsified documents and the real parents were unknown. These cases were turned over to Mexican law enforcement for persecution under Mexican human trafficking laws. Prevented trafficking, such as in this case, is not recorded in trafficking studies, but human trafficking is a problem that ties into both illegal immigration and exploitation on both sides of the border.

³⁴ <http://www.state.gov/m/ds/investigat/c10714.htm>

One consular official, a Mexican lawyer, was exclusively involved in working with Mexican law enforcement to notify newly incarcerated American citizens of their welfare and visitation rights and assisting them with keeping relatives in the U.S. updated on their cases. Three high-profile U.S. fugitives were apprehended in the Consular district over the summer and extradited back to the U.S. with the help of Mexican officials and an American legal attaché. Additionally, visiting incarcerated American citizens for welfare checks is a consular duty. These visits occur monthly, and range from juvenile offenders facilities to maximum-security prisons. I attended three visits and was surprised by the level of care provided by the Consulate - vitamins, magazines, books, sunscreen, and American candy were donated by the staff to the prisoners. Also, Mexican prisons were not as scary as I expected! We listened to welfare complaints, recorded updates on cases, and in some cases gave reports on progress for prisoner transfer requests. One particular case involved trying to arrange a permanent transfer for a prisoner with a life sentence from a Mexican prison to an American mental hospital, an extremely complicated legal and political process.

Another common service to Americans in Guadalajara is helping to report and to facilitate when a citizen dies in Mexico. Consular Officers assist with the legal paperwork, the transfer of remains, and securing belongings of the deceased for the next of kin. Occasionally these are crime or accident victims, but the vast majority of these were retirees. There were 1-2 deaths of American citizens in the consular district each week.

One of the more interesting parts of consular work involved the walk-ins and emergencies. Most of these involved lost or stolen passports, and there were a few

emergency passports necessitated by medical conditions. There were several destitute American citizens looking to be repatriated by the U.S., and some of them had no paperwork or proof of identity. The Consular Officers would assist in researching, creating emergency documents, and even provide emergency hotel and food vouchers, as well as bus tickets to the border. If no one in the U.S. would pledge to help after many phone calls, the Consulate bore the cost as a loan to the citizen. In this way, consular auspices are astonishingly helpful to American citizens. Over two months there were two American women who claimed to have been trafficked for prostitution that were assisted and the Consular Officers worked to get them home and get as much information as possible to Mexican law enforcement. One really interesting case, the kind that would make a good novel appeared. A U.S. citizen appeared to try to get a passport for his child born in Mexico. However, he had the child while living under an assumed identity that was neither American nor Mexican, while he was a fugitive. Afterwards, he had turned himself in and did a stint in prison in the U.S., (his prison record proved his residency.) In order to help him with his request, which was reviewed for legality, the Consular Officers ordered DNA testing and ultimately the story had a happy ending. As Kelly Adams-Smith says in *Inside a U.S. Embassy: Diplomacy at Work*, "...a consular officer is part attorney and part counselor. The work can be adrenaline-charged and stressful...of all our colleagues, it is often the consular officers who have the best Foreign Service stories."

While I was not an active manager on any of these cases, I was welcomed and able to shadow the officers as they did their work. I assisted in small tasks such as researching domestic violence shelters near the border crossings, finding hotel rooms for

emergency situations, and finding toys for children in stressful situations to play with while officers worked with their parents. I found the work to be fascinating, challenging, and purposeful, a perfect match for my personal work philosophy. My enthusiasm for the work grew stronger as I saw more of it. It really is, as the Fletcher School would prepare us to undertake, the intersection of international law and diplomacy.

My Work

The work I completed over the course of the internship included a large research project relating to trying to figure out why people were missing passport and citizen reports of birth abroad appointments. The problem was creating inefficiencies in the department; they overbooked appointments by 10% in order to accommodate the problem, but then suffered on days when all scheduled appointments arrived. There were speculations that it might be the same people repeatedly breaking appointments, that there may be illegal activity taking place (if the appointments were made by *coyotes*, or traffickers), or that duplicate appointments were being made by people confused by the online registration system. On the basis of my work I was able to answer the question of illegal activity (no) and give recommendations on how to improve attendance. The project data and analysis are in the attached Appendix.

Additionally, I created workflow diagrams of the most common, repeatable jobs in the ACS department, including processing passport enrollments, the passport quality checks and delivery process, the CRBA process, notarization process, reports of a death of a citizen abroad, and the cashiering process. These documents are descriptive and can be used to train new staff and ensure that each person is providing the same quality of

work. They also are operationally helpful in analyzing for inefficiencies and keeping track of what improvements could be made in the future (e.g. a better scanner would have processed evidence documents faster.) Based on the documents, I trained two new staff members, one from the non-immigrant visa side and one from ACS. I also created a SIPOC (Suppliers, Inputs, Process, Outputs, and Customers) diagram that helped the Chief of ACS conceptualize applicants as customers in a business setting as a reframing tool.

Finally, I was an election observer in the state and mayoral elections of Aguascalientes, and I researched and co-drafted a cable with the political officer on the winning mayoral candidate, Antonio Martin del Campo. The cable was well-received in Washington D.C. and was featured in the monthly Operations Center Cable Highlights.

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Appendix 1 Data Analysis project

No Show Appointment Data Analysis Project

ACS management knows that the rate of no-shows for ACS appointments at the US Consulate in Guadalajara is higher than the worldwide average of X, at about 17%.

Questions:

1. Are there repeat-offenders?
2. Are there legal agencies or coyotes making appointments (legally or illegally)?
 - a. And not communicating with clients?
 - b. And not cancelling them?

The collected data includes Date, Name, Time of Appointment, Telephone, and Email address. Because Name, Telephone, and Email address are Personally Identifiable Information (PII) and in combination could be used to clearly identify individuals, in the data table I changed names to initials and email addresses to nonspecific yet detailed data. Appointments cancelled by user are not included in the data.

Hypotheses:

1. There are repeat offenders. People who miss appointments more than once are taking up appointment slots.
2. Mexican families are large. Often, appointments are made for a whole family. If one does not show up, more than one will not show up, skewing results.
3. Agencies/coyotes make appointments for customers, but are not good at communicating appointments to clients. Clients miss appointments.
4. Internet appointment-making presents a barrier to non-savvy customers. Some people will mistakenly make duplicate appointments due to technical errors.
5. Cultural bias. Making and missing appointments may be more culturally acceptable in Mexico.

Details of each hypothesis, plan to test, and results:

1. Repeat no-show offenders are taking up appointment slots. The logic to test this theory is simply to record the number of times an exact match for Name (initials), phone number, and email address are repeated. However, to get a real assessment

without double counting people who make mistakes with the appointment portal (see point 4); I will only count one appointment per day.

Results: Repeat offenders account for 18.5% of all no show appointments plus or minus 0.8%. This is a statistically significant result that supports the hypothesis. Efforts should be made to address this problem at the consulate if resources are available.

2. Mexican families are large. The logic used to test this theory is that family members will share some characteristics. Because names are difficult to use because they may vary substantially in a family, I looked for a combination of identical phone numbers and email addresses. Where both are identical but initials are different, I can assume a household relationship. In testing this hypothesis, I will take the full no show data set, count the number of likely household relationships, and produce a percentage of no shows that are likely family-related. One problem with this approach is that if the same family member(s) is/are not appearing on more than one date, the family will be double-counted, skewing the results upward. I will try to reduce the skew by eliminating multiple family data that includes repeat offenders (see point 1) on more than one day. Another problem is that cell phones are common, and it is possible that households have more than one phone number (e.g. cell phones), but I am only counting one of them, skewing the results down. I cannot correct for this problem given the limits of the data set.

Results: The no-show data indicates 31.2% of all missed appointments correlate to households. It also indicates the average household contains 2.8 members that will miss appointments together or attend together. Efforts should be made to account for this effect.

3. Agencies make appointments for people but are not good about communicating them to clients. The communications aspect of the missing appointments cannot be tested with the given data, but it is worthwhile to note how many appointments are made by possible agencies. From this data, steps may be taken to contact the agencies to discuss misuse of appointment slots or investigate possible illegal activity (such as selling time slots). It should be noted that helping a client make an appointment and/or charging fees is not illegal. The logic to test this theory is that the same email address will be used with varying Names (initials) and phone numbers, presenting on multiple days, plus email addresses with “migrante” in the name. I will only look for example with 3 or more repetitions of email address plus 2 or more different sets of initials on different days.

Results: About 9.3% of appointments that were missed were created by probable agencies. There are 14 identifiable possible agencies making appointments. This

hypothesis is the weakest of the ones provided, and the information is circumstantial. Nevertheless, it may be worthwhile to contact the agencies via email and provide instruction on the appointment system.

4. People are confused by making appointments on the Internet. The logic for this theory involves counting the number of duplicate or more appointments made on the same day. This could be broadened to include any questionable data (e.g. transposing surname and name) but the simplest test is whether people make an appointment that is able to be recorded regardless of other data flaws. In recording this data, I will calculate total results for multiple appointments, and multiple appointments that resulted in a successful appointment separately.

Results: Almost 18.5% of appointments made are duplicated, which indicates the online appointment system presents a significant barrier for the ACS customer base here. However, about 10% of the appointments that were duplicated resulted in a successful appointment. Efforts should be made to improve the usability of the online appointment making system, as well as providing a clear message of appointment-making success.

5. Cultural bias, while an interesting avenue of research, is difficult to ascertain and impossible to pursue without a control group. Therefore, this theory will not be testable with the given data.

Conclusions:

Guadalajara's high appointment failure rate correlates highly with problems stemming with clients missing appointments repeatedly, family-related absences, and problems with navigating the online appointment system. To a lesser degree, appointments made by agencies are also to blame. These problems create a challenge to the ACS department in scheduling and in throughput of services.

Recommendations:

1. Examine the online appointment system and try to improve usability
2. Examine the possibility of automated phone calls to make appointment reminders to clients
3. Plan for a 5-10 appointment load flux on a daily basis to address the family-related skewing of appointments
4. Contact agencies and provide training on the appointment system and how to cancel appointments

Calculations

Simple Total number of missed apts. (rows)	1196	121	1074
Total number of missed apts., including multiples in one day, in data set	1276	129	1147
Total number of duplicate apts.	235	15	220
Percentage of apts made that are duplicates	18.42%	11.63%	19.18%
Duplicates that Did show , but made multiple apts on same day	23	3	20
Duplicates that did NOT show	212	12	200
Adjusted Total number of actual missed appointments in data set	1041	114	927
Percentage of missed apts made that did show	9.79%	20.00%	9.09%
Number of households (multiples where phone and email match)	134	12	122
Number of missed apts. in households (excludes repeat offenders without other household members)	330	27	303
Repeat offenders in households	22	3	19
Did show, but made multiple apts.	5	1	4
Total number of household-related missed apts.	325	27	298
Percentage of total missed appointments that are household-related	31.22%	23.68%	32.15%
Number of probable agencies	14	6	14
Number of apts for agencies	97	7	90
Percentage of total missed appointments that are agency-related	9.32%	6.14%	9.71%