

Senate Bill a Step Backwards for Immigrant Rights

By Oscar A. Chacón | June 7, 2007

As I write this article, the U.S. Senate is engaged in a major policy debate about how to reform the obsolete, unjust, and deeply dysfunctional immigration policy currently in effect in the United States. Unfortunately, the proposal being debated, entitled “Secure Borders, Economic Opportunity and Immigration Reform Act of 2007,” falls far short of what the country needs, or what immigrant communities deserve.

The proposal represents a major achievement by anti-immigrant forces and their congressional backers. They have finally managed to persuade influential leaders such as Sen. Edward Kennedy from Massachusetts, known for his long trajectory in defense of justice and immigrant rights, to support a bill that advances a xenophobic and racist agenda.

The deal is billed as a balanced compromise, but the scale is heavily weighted against immigrants. The unfair anti-immigrant measures in the bill include:

- Construction of a longer wall between the U.S. and Mexico
- Hiring of thousands of new border patrol agents
- Contracting an additional 30,000 jail beds to detain immigrants
- Further reduction of civil rights and due process for immigrant populations
- Retroactive elimination of several categories of family-based permanent resident visas
- Expropriation of hundreds of billions of dollars in Social Security and Medicare taxes paid by unauthorized immigrant workers over the past 20 years
- Substitution of a long-held family-based immigration system for one based on the level of education and expertise of the would-be immigrants

The negatives add up, and all this in exchange for a massive, extremely expensive, anti-family work permit program that will keep hard-working, tax-paying employees in limbo for many years to come.

Many Washington, DC-based organizations and federal policymakers, known for their support for immigrant rights, support this deal because they have chosen to believe in the promise that some day these new ‘Z visa’ recipients will be able to exchange their work permits for a permanent residency status, and, some time after that, they will be able to apply for U.S. citizenship. This promise is as good as a check with no bank, no account, and no funds.

According to proposed language, once Z visa recipients overcome a long list of obstacles and are finally allowed to apply for legal permanent residency status, there will only be 87,000 visas

available every year for them to adjust their status. If only one-half of the estimated 12 million immigrants without legal status apply for permanent residency, it will take them anywhere between one and 60 years to finally obtain it.

The practical result of the legalization component in Senate Bill 1348 will be the institutionalization of a massive underclass in our society, a population of vulnerable workers who will be even more easily exploited than they are now. Politicians tout this as a good solution, but of course, they are not immigrants and will not pay tens of thousands of dollars and wait for decades for legal permanent residency.

On May 17, the same day that the “Immigration Grand Bargain” was announced, the U.S. Census Bureau announced that the non-white population of the country surpassed the 100 million mark, making it over one-third of the U.S. population. There is a small group of influential people who believe that these demographic changes represent a major threat to the cultural identity of our society. They argue that the Western European, Anglo-Saxon, and Protestant heritage of the nation is under attack. These sectors have long identified what they describe as our out-of-control immigration policy as a key source of the growing threat.

Senate Bill 1348 seems to make the same racist assumptions. The bill would retroactively eliminate the right of relatives of current U.S. citizens and legal permanent residents (many of whom are non-white) to migrate, deny Z visa recipients (most of whom are likely to be Hispanic) the right to legally bring their immediate family to the United States until they become legal permanent residents, and postpone for decades the possibility for millions of foreigners, who in many instances have been living in the United States for more than ten years, the right to become U.S. citizens. Thus, the proposed “Immigration Grand Bargain” implicitly furthers the cause of those who oppose the multiethnic, culturally diverse nature of U.S. society.

Anti-immigrant forces in the United States and other industrialized nations have accumulated power in part due to the absence of a genuine strategic alternative on how to wisely and humanely handle migratory policies in the context of today’s global economic and demographic trends.

Instead of asking ourselves the difficult question of what is driving so many people out of their countries of origin, and what can powerful nations like ours do to deal with the root causes of

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migration, we have let those who propose building walls have the last word.

Instead of asking ourselves why poverty and inequality in the distribution of wealth have increased at home and abroad over the past 20 years, we have let those who argue that immigrants are responsible for our social and economic ills call the shots.

Instead of asking ourselves what went wrong and who is responsible for tragedies such as what happened on Sept. 11, 2001, we have let those who blame our immigration system and the presence of "so many" immigrants, get away with the notion that these are the strategic vulnerabilities we need to deal with.

Our nation is in desperate need of moral and bold leadership on these and many other issues. Demonizing and punishing immigrants is a morally bankrupt and ineffective approach to dealing with our most pressing challenges. However, as long as we lack real leadership, those offering cheap and fear-driven alternatives will continue to rule the day.

For immigrant communities in the United States, there is only one sure path to follow. We must become better organized at the local, national, and international level, to learn to flex our civic and democratic muscles with ever more determination. In doing so, we need to reach out to every possible ally we can find. In particular, we need to do a far better job reaching out to our African-American brothers and sisters, the local business community, our elected officials at all levels, labor unions, and communities of faith and their leadership.

We need to remind everyone in our society that immigrant populations are also human beings who have the same dreams for our children as anyone else. We are also human beings who endure the same social and economic challenges as others in our society. We are also human beings who love and cherish our families. We are also human beings who have deep love, respect, and commitment and capacity to sacrifice for our home, as well as for our adopted country.

In the short term, immigrant communities need to deal with the possibility that a terribly flawed immigration reform proposal will

become the new immigration law of the land. In this case, we must be prepared to respond to the many questions and needs our communities will have if the proposal now under consideration becomes law. We also need to make sure that the millions of hard-working and tax-paying undocumented immigrants who may seek to gain access to a work permit, do so understanding that immigration law will still have to undergo major changes if they are ever to become U.S. legal permanent residents and citizens.

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FOR MORE INFORMATION:

Americas Program Immigration Analysis

Chacón, Oscar, "Latin American Immigrants Struggle for Fair Immigration Reform"

<http://americas.irc-online.org/pdf/reports/0607ImmigrationStruggle.pdf>

Reframing the Immigration Debate: The Actors and the Issues

<http://americas.irc-online.org/am/2959>

NALACC

<http://www.nalacc.org/>

"Secure Borders, Economic Opportunity and Immigration Reform Act of 2007," text:

<http://kenedy.senate.gov/imo/media/doc/Immigration%20Draft%2005-18-07%5B1%5D.pdf>

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