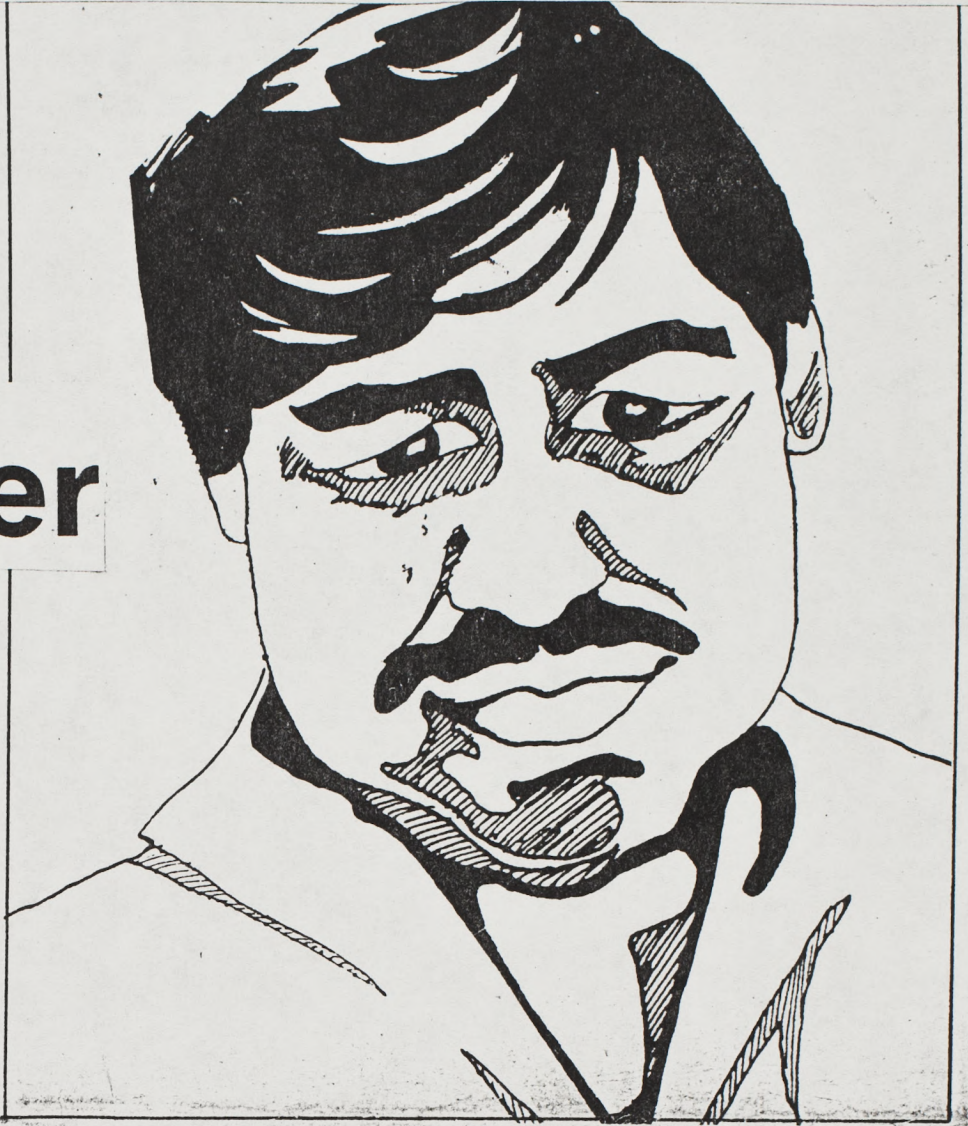


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# Amnesty: One Year Later



Herman Baca, Chairman C.C.R.

By: Daniel L. Muñoz

(May 4th, 1988 will mark the end of the Amnesty portion of the Immigration and Reform Act of 1986. (The Simpson-Rodino Immigration Bill). Calls for a one year extension of the Amnesty program have been issued by various organizations, groups and political leaders. For an opposing view, La Prensa Editors called for an interview with **Herman Baca**, Chairman of the Committee on Chicano Rights (C.C.R.), which has been in the forefront locally and nationally on the immigration issue. The CCR opposed the passage of the Simpson-Rodino Bill from its inception and opposed the implementation of the Immigration and Reform Act of 1986 in its entirety.)

*L.P.— Can you restate the original reasons why the Committee on Chicano Rights opposed the Immigration and Reform Act of 1986 when it first came out?*

Baca— We viewed the Simpson-Rodino Immigration Bill as a historical insult to all persons of Mexican ancestry. This legislation defines all persons of Mexican ancestry as criminals. We have gone as a people, from owners of this land to being defined as criminals that are in need of amnesty. And why? For doing jobs that no other person will do, for being exploited in this society. Those are issues that were never addressed. This caused us to raise the issue of the legislation being a historical insult.

Simpson-Rodino was nothing, but a massive rip-off of the undocumented. We estimate that before the Amnesty portion of this Act is completed, the undocumented will have been fleeced between 4 to 7 billion dollars by the INS, Attorneys, Doctors, Social Service agencies, Coyotes and Churches who supposedly are attempting to help the undocumented.

We saw the legislation as a hypocritical fraud being perpetrated upon individuals who are being victimized by the manipulation of the secondary labor sector.

*L.P.— What were some of those elements of the law that you saw as being fraudulent and detrimental to the undocumented?*

Baca— The most obvious was that the administrative functions and responsibility for implementing the law were turned over to the INS the most racist, bigoted, discriminatory and incompetent agency of the Federal Government, especially when it came to dealing with persons of Mexican ancestry. That was the tip off.

As was the utilization of ignorant, naive or even stupid agencies and/or individuals to go and attempt to round up and herd the undocumented to the INS. That raised a lot of political questions in our community.

At the very beginning questions were raised as to what was the real intent of the Act? Specially when you considered all the conditions that were made to apply for Amnesty. Conditions that were very subjective. We have now seen the results of the INS administrating this program. We have to ask ourselves: What would the Black community think if the administration of Civil Rights legislation was placed in the hands of the KKK? what would the Jewish community have done if programs founded to aided them were handed over to the Gestapo?

Turning over the Amnesty program to the INS is viewed by the Chicano community as being on the same level. The INS, historically has had a record of racism, bigotry, discrimination and brutality against persons of Mexican ancestry.

*L.P.— Do you consider, thus far, that the program has been a success or a failure?*

Baca— This is one of the biggest failures in the history of our country along with prohibition and the 55 mile speedlimit law.

They said upwards of 4 million individuals would apply. To date, less then a million and a half have come forth. For every 3 undocumented two have stayed away!

*L.P.— Just what did those who applied get for applying?*

Baca— The only thing they have gotten to date is a work permit. Less then 10% have acquired the Temporary Residence Permit which supposedly is the first step towards gaining permanent residency. 90% of the million and a half are in limbo! Only 10 percent of those applying have actually started on that unknown trip to adquiring permanent residency status.

*L.P.— What happens after the work permit expires?*

Baca— At that time, the work permit will expire (after six months). The next step is for the INS to check over the documentation that was submitted. If it is in order, they will be issue Temporary Residence Status (TRS).

*L.P.— Just what is the Temporary Resident Status?*

Baca— It is a new law, a new concept in this country's immigration policy. The first thing it does is guarantee the undocumented that they will continue to be investigated to see if in fact the letters, the receipts, income tax etc. are factual. This will go on for a period of from two to three years. They will be investigated completely. They will have the right to work during this period and they will be taxed but, unlike all other workers, they will not have the right to make use of the services that those tax dollars buy. We now have a political concept, as law, which in the past caused a revolution: the American Revolution brought about by "Taxation Without Representation." This is something that has not been questioned or challenged. The concept of family reunification is another factor those undocumented that have acquired temporary Resident Status will not be able to bring across or immigrate there

# Amnesty A Failure

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families. On top of that, they cannot leave this country to visit their families without permission of the INS. This could last from two, to who knows how many years. In other words, the destruction of the Mexican family.

*L.P.— How will the undocumented get Permanent Resident Status?*

Baca— He will have to do two things: to prepare himself for that final step. He will have to learn and speak English by the time he is called in. He must have a firm understanding of how our government works.

The first question I have is: where are the schools that are going to teach him these facts and skills?

Those individuals that come into this country under the normal immigration process, the "Quota System", are given a minimum of five years to meet the language requirement. They also have five years to learn the rudiments of our government. The undocumented must learn the same material in a period of from two to three years!

If government is already cutting back on bilingual education and U.S. born Chicanos are having a difficult time with the English language and a harder time knowing how our government works, what's going to happen to those undocumented that come here with a third grade education and don't know how to read or write? What schools are there to teach them? . . . Those questions are going to have to be answered.

*L.P.— Who will determine whether an individual undocumented is qualified or not?*

Baca— The INS, the individual agent that is checking him out.

*L.P.— Just what type questions are they going to ask?*

Baca— My understanding is that questions such as: How many Pilgrims came over on the Mayflower and landed at Plymouth Rock? I asked that same question of State College students just last week at a presentation I made. No one knew the answer not even the instructor! These are the type of ludicrous questions that may be asked. The whole procedure smacks of discrimination and reminds one of the discrimination in the South that was used to exclude Blacks. They couldn't register to vote unless they could answer similar type questions.

It must be quite clear by now that Simpson & Rodino was not immigration legislation. It is labor legislation drafted to fill labor needs of this country in the upcoming years. Simpson-Rodino was not a national immigration policy. What it really is talking about is "what

to do about the growing number of Mexicans in this country”?

*L.P.— What you're saying is that the Immigration and Reform Act of 1986 does not apply equally across the board?*

Baca— I don't see it applied nationally against all other nationalities. I don't see it being carried out on the Canadian border. I don't see it being applied against Europeans who have expired visas and are still here. Basically, the whole immigration concept behind Simpson and Rodino is really what to do about Mexicans that are going in numbers in this country.

Immigration is really a bilateral, international issue. Simpson-Rodino, however was made in isolation without bringing in Mexico or the other nations involved in the push-pull situation of labor.

*L.P.— The Immigration and Reform Act is then just a tool to manipulate a source of cheap labor?*

Baca— Without a doubt. It is nothing but a piece of legislation designed to structure future foreign importation of workers i.e. bracero programs. What Simpson-Rodino stated to the world was that the Mexican worker was an integral part of the American economy and that this economy couldn't function without the Mexican worker. They didn't want him to stay out. They wanted to control the worker and be able to get rid of him when he no longer was needed.

*L.P.— The Mexican laboring pool then would be maintained and controlled under the legal fiction of the Immigration & Reform Act of 1986?*

Baca— The INS has always served as the private army of the Secondary Labor Sector.

*L.P.— What we really have is the legalization of the importation of cheap foreign labor under the Reform Act?*

Baca— Similiar to South Africa this is the classical outcome of this type of programs.

*L.P.— What are the implications for Chicanos of having this type of discriminatory legislation in effect?*

Baca— We now have to live with the stigma that the law attaches to persons of Mexican ancestry which is one of being criminals. . . people dealing outside the law in spite of the fact that they are enticed here by American Agribusiness and the Secondary labor market. This concept of Mexicans being criminals by extension is applied to all of Mexican ancestry.

*L.P.— This is just a continuation of the historical pattern in this country of denigrating the Mexican person and his culture?*

Baca— Without a doubt and that stigma is communicated to the general society and affects our relationships. This legalizing of a captive Mexican work force is highly detrimental to the Mexican American.

*L.P.— Now in self defense, some Hispanics are having to place distance between themselves and their Mexican brothers. Some may feel this protects them from the attended discrimination.*

Baca— It is inculcating self hatred. Some are trying not to be like them. As a consequence, they end up denying themselves, their culture, history and what they are. We are the losers.