



**NATIONAL ALLIANCE OF LATIN AMERICAN & CARIBBEAN COMMUNITIES**  
**ALIANZA NACIONAL DE COMUNIDADES LATINO AMERICANAS Y CARIBEÑAS**

*A Transnational Vision, Rooted in Latin American and Caribbean Migrant Communities*  
*Una Visión Transnacional, con Raíces en la Comunidad Migrante Latinoamericana y Caribeña*

NALACC's analysis

**Attacks against immigrant communities intensify, while prospects of a worthwhile immigration reform become harder to imagine in 2010**

April 19, 2010

Nearly a month after the well attended pro immigrant rights and pro immigration policy reform march and rally held in Washington D.C. on March 21, 2010, and after several simultaneous community mobilizations held in several cities throughout the U.S. on Saturday April 10, 2010, the life of immigrant communities is now under greater stress as a result of the recent anti-immigrant initiatives passed by the Arizona legislature. Unless stopped by the Governor, the proposed changes in Arizona will institutionalized racial profiling and overall prejudice against Latino immigrants, and anybody else who looks or sounds like them. If this initiative becomes law, the potential for it to become the blueprint for many other local and state governments to follow would grow exponentially. In addition, the fate of decisive action on U.S. immigration policy hangs still in the balance. We ask: Will President Obama use his remaining political capital to push for real immigration reform? Will he use his discretionary power to stop the enforcement madness of an immigration law known for its brokenness? Will the U.S. Congress find the courage to fix what is broken with U.S. immigration policy its next top priority? In light of recent events, we fear the answer to these questions may be NO.

There is a silver lining, however. And that is that immigrant communities are becoming better organize and politically savvy. We are waking up to the fact that what has come to be defined as Comprehensive Immigration Reform (CIR) is not necessarily what in our view desperately needs fixing. The current definition of CIR is not either what immigrant communities want, or what would be best for the country. We have come to know that the way in which CIR is understood and framed by those who have the power to make it happen is very different from what immigrant communities deserve, particularly given our enormous contributions to wealth generation, tax revenues, and the cultural enrichment we provide to society. The calls for real change on immigration reform, of the sort we can really believe in, are becoming more commonplace.

We have Senators Schumer (D-NY) and Graham (R-SC) to thank for opening our eyes. In an Op-Ed piece published on March 19, 2010 in the Washington Post, they outlined a blueprint comprised of four pillars that would be the foundation of their CIR proposal: More border enforcement; a biometric social security card; a future temporary employment program for foreign workers and a "tough but fair" path to legalization that would require undocumented immigrants to admit they violated the law as an initial step on that path.

Given the fact that we have been living under a highly punitive, inhumane, and anti-family immigration policy regime since at least the early 1990's, one has to ask the following question: In what way is the Schumer-Graham blueprint going to reform what is now wrong with immigration policy? Have we forgotten that the "broken" immigration law that we all agree needs "fixing" has the name of Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) enacted in 1996? IIRIRA closed-off many avenues to U.S. citizenship; created many new bars for those who apply for permanent residency visas; retroactively reclassified minor offenses to the law into aggravated crimes; restricted public benefits to immigrants who are legal permanent

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residents; bolstered enforcement, and eroded due process for immigrants in detention centers and deportation proceedings. It is precisely this framework that is in urgent need of change.

The changes in immigration law enacted in 1996 have caused great suffering to immigrant families. Given our numbers, Latino and Caribbean immigrant communities have been the primary victims of this misguided, inhumane and wasteful policy. The nearly 390,000 deportations conducted during the last fiscal year, most of them immigrants from Mexico and other countries in Latin America is a sad example of this. Our families have been wrenched apart through raids and deportations. Our communities have been destabilized. Our people have been racially profiled, taken into custody and jailed simply because of the way we look and speak. Workers have been denied fair wages and exposed to unthinkable working conditions.

In what way do Senators Schumer and Graham's four pillars will change all the wrongs contained in IIRIRA? Regretfully, their broad outline for CIR would not fix the wrongs brought about by IIRIRA. Instead, it will contribute to further entrench and reinforce the most negative aspects of it, namely a mistaken and negative view of immigrant communities as a threat and a burden to the United States of America. Will any of their proposed pillars for immigration policy reform change the highly punitive legal framework that has authorized billions of dollars in misguided and failed enforcement measures? What they are proposing is more of the same. Because of its fundamentally flawed orientation, our current immigration law has not been able to stem migration flows, nor has it done anything to change the voracious appetite of U.S. employers for cheap and exploitable labor.

Since the summer of 2009 the National Alliance of Latin American and Caribbean Communities (NALACC) has been doing extensive community education in cities where NALACC members are concentrated. Since the spring of 2009, over 50 community dialogues have been conducted that have reached hundreds of immigrant community leaders. These community consultations have gone beyond superficial calls for support for comprehensive immigration reform. Instead, we have asked immigrant communities to tell us what in their opinion is wrong with our current immigration law. We have also asked our communities about what changes in immigration law they would like to see enacted. Finally, we have also asked people if they believe that positive changes are possible in the current political environment. The result has been the same: Immigrant communities consider IIRIRA as the primary set of laws that must be changed. Immigrant communities want a new immigration law that recognizes the generous contributions made by immigrant communities to the country, and a law that would treat immigrant communities accordingly. But at the same time, immigrant communities understand that given the current political environment, which has only been made worse by our most recent economic woes, it would be nearly impossible to bring about these kinds of changes.

Immigrants consider the notion of requiring those who reside in the U.S. without a visa to declare themselves "guilty" before being able to enroll in some kind of path to legal permanent residency status as humiliating. They understand that when millions of people are forced to leave what they love most, for the chance of survival, it is an economic and political system that is deeply broken, and not the human beings that are victimized by it. They understand that in the midst of their own marginalization, they contribute with the sweat of their brow to the wealth generated in the U.S. While there is no doubt that it is immigrant communities from Latin America (mostly from Mexico, Central America and the Caribbean) who are paying the highest human toll when our current immigration law is enforced, they are willing to continue working towards the day when changes in the immigration system will finally reflect who we truly are and what we truly mean to this nation. The surprisingly large numbers of mostly Latino immigrants who came to Washington, DC on March 21, 2010 demonstrates this commitment.

The insistence by most immigration policy advocacy organizations that it is the Schumer/Graham architecture what should be supported, neglects the fact that in December of 2009 a different type of immigration policy reform was filed in Congress. While it is true that the bill entitled Comprehensive Immigration Reform for America's Security And Prosperity –CIR-ASAP- (H.R. 4321) is not free of additional punitive measures against immigrant communities, it is a far more down to earth proposal when it comes to how to move forward with the difficult task of reforming U.S. immigration law. From NALACC's perspective, CIR-ASAP is a far better option than the Schumer/Graham framework, when it comes to immigration policy reform.

While in the end there may not be political space or time for any substantive deliberation on the notion of a head-to-toe reform of U.S. immigration policy in 2010, it is important to build on the political good will demonstrated in the massive March 21 march and rally in Washington, DC, particularly given the diversity of the political sectors represented in the speaker's lineup. We are ready to advance a truly new approach to immigration policy reform that begins by recognizing the economic, political, social and cultural contributions of Latino and other immigrant communities to the United States of America. We need an immigration policy that takes away from the inhumane and punitive approach that has predominated since at least 1997, after the passage of IIRIRA. We need an immigration policy able to promptly process family petitions filed by U.S. citizens and permanent resident, instead of making people wait sometimes for decades. We need an immigration policy that recognizes the factors that force so many people to emigrate from the countries they were born, and want to come to the U.S.

In parallel with actual immigration policy changes, we need true leadership from our policy makers. Instead of blaming immigrants for our nation's failures when it comes to ineffective education, expensive and poor quality health care, the lack of good paying jobs, with benefits; etc., they should once and for all face the urgent need to take the country in a direction of hope and reform we all can be proud of. Instead of making immigrant families the scapegoats for our failures when it comes to public policy, our policy makers, particularly those at the federal level of our government, should challenge themselves to work more effectively to produce tangible solutions that promote mutual understanding and appreciation. Immigrant communities look forward to working with our policy makers to produce real and just solutions for all hard working people in the U.S.