

# Amnesty Ad Infinitum

## *How much are beaver skins worth?*

by Diana Hull

Amnesty for illegal aliens in the United States is the ultimate immigrant benefit. It is now a joint goal of the Clinton Administration and the Latino Caucus in Sacramento which is pushing a legislative package that contains new, as well as decades old, Hispanic interest group entitlement proposals.

The Caucus also wants more “human rights” and “justice” bills to “protect minority and immigrant communities from hate crimes and violence.” This kind of legislation has been useful in muzzling opponents and will increase the power of statewide “Human Relations Commissions” to challenge what can be said about immigration and immigrants.

These bills, plus the recommendation for another amnesty, comprise a cluster of related legislation introduced by California’s newest Latino lawmakers in the past year and a half.

Hispanics are now 14.5 percent of registered voters in California, compared to 10 percent in 1990, and gave Democrat Gray Davis a 78-18 percent majority of the Latino vote in the 1998 Governor’s race. Al Gore had a 58-17 edge over George Bush with California’s Hispanic voters in the recent presidential primary.<sup>1</sup>

A third of the approximately 6 million illegal aliens in the United States live in California, so the best way to further increase the Democrat majority, especially in our state, is by forgiving illegal entry over and over again.<sup>2</sup> Right now, the Clinton administration and the California

legislature are working in tandem on this issue, apparently unconcerned about how amnesties further encourage defiance of the law. Few lessons were learned in the wake of the 1986 amnesty — a fiasco that Robert Suro of the *New York Times* called “one of the most extensive immigration frauds ever perpetuated against the U.S. government.”

But California’s Latino Caucus can be optimistic that they will prevail eventually in their legislative battles because the force of demography is a readily-realized probability, and the numbers are on their side.<sup>3</sup> The immediate future looks promising too. California’s Governor Gray Davis believes that U.S. strength is in its diversity<sup>4</sup> and his Lieutenant Governor agrees. Cruz Bustamonte, is the first Latino to hold that office in over 100 years.

The Assembly Majority Leader is Antonio Villaraigosa, ex- MEChA (Movimiento Estudiantil Chicano de Aztlan) activist and former president of the Southern California ACLU. Assemblyman Villaraigosa was the only Latino elected official to speak at the “Latino March” in Washington, D.C. where he touted the legislation promoted by the Latino leadership in Sacramento and spoke fervently about the right of “undocumented people” to free medical care and education through college. He demanded another amnesty for those living in the U.S. illegally.

Last May, Speaker Villaraigosa joined Mexican President Zedillo in addressing the California Legislature. Although both men are thoroughly fluent in English, they both made their speeches in Spanish.

Then Mr. Villariagosa stood and began the Chicano “handclap.” Without knowing what they were doing, (as calls to their offices confirmed) the rest of the legislators joined this spirited display of ethnic nationalism and started clapping too. Of course any high school or college student in Southern California has heard this sound, “clap-clap, clap-clap-clap” and understands its meaning. Like displaying the Mexican flag, it is the MEChA trademark clap and hails “Chicano Power.”

When Speaker Villairogosa was campaigning on

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behalf of 46<sup>th</sup> District Assemblyman Gil Cedillo, he advised voters in Spanish that “Congressional welfare reform was an attack on our people, intended to punish our immigrant companions and to punish our community.” Reversing these unwanted changes and adding more benefits is a broad public policy objective for Hispanic groups nationally and these goals are pursued most actively in California where they meet less resistance and have the best chance for continued success.

There is a belief in immigrant victimization which underlies this preferential treatment agenda. Laws that require special dispensations, preferences and taxpayer subsidies were not originally the invention of immigrants themselves. These ideas came from the liberal foundations who laid out the strategy of redress and supported those efforts with significant grants beginning decades ago.

Professor Miles D. Wolpin<sup>5</sup> points out that assigning a morally superior position and legal status to ethnic minorities, even those who break the law, “intensifies resentment and alienation among lower middle class and working class majorities.” There are some small signs that such considerations may eventually have an effect on California’s non-Hispanic Democrat legislators.

This is born out by the votes that were cast, and those *not* cast, on certain immigrant entitlement bills offered so far in the 1999-2000 session. The voting was strictly along party lines, but when Democrats opposed part of the Latino agenda they usually abstained or were absent for the vote — an easier “out” than opposition up front.

### Legislative Initiatives from the Latino Caucus

What follows is a sample of immigration-related bills that Latino Caucus members introduced in the California legislature in the past year. At this writing, the status of some of the bills is uncertain.

Assemblyman Gilbert Cedilla, of the 46<sup>th</sup> District, introduced AB 407 which would make “undocumented” immigrants (illegal aliens) a “protected class” under what is popularly known in California as the Unruh Civil Rights Act. This bill would outlaw discrimination of any kind against the “undocumented” and states that they can’t be denied any “advantages, privileges or services” based on “immigration status.” AB 407 was eventually vetoed by the governor. It will likely be reintroduced again.

This “protected status” measure was intended as

both a sword and a shield to pre-empt any future challenge to giving the same benefits that are enjoyed by citizens to both legal *and* illegal aliens.

AB1463 (Cedillo) permits illegal aliens to get a driver’s license, one of the most valuable and versatile of benefits. This bill passed the Assembly but was stalled in the Senate Transportation Committee last session. It came back in June of this year and would give illegal aliens tacit approval to work in California despite being prohibited from doing so by federal immigration laws.

Supporters of this bill claimed it was a public safety

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issue and would ensure that all drivers were tested. The unspoken selling point was that illegals were going to drive anyway, licensed or not, insured or not, so what was the harm in “regularizing” reality! Opponents of the bill argued that a driver’s license is the most commonly accepted proof of identity. It is known as “the keys to the vault,” a “breeder” document because with it you can identify yourself as a citizen, apply for subsidized housing, bank loans, and myriad benefits.

Each time this bill surfaced, the CAPS organization (Californians for Population Stabilization), five other California Immigration Reform groups, and FAIR (Federation for American Immigration Reform) alerted their members to lobby the Transportation Committee. In this instance two committee Democrats were willing to vote “no.” The final outcome of this legislation is unknown at this writing.

The goals of the California Latino Caucus are virtually identical to those of the national Hispanic leadership. First on both lists are continuing amnesties and eventual voting rights for non-citizens. (Non-citizen voting occurs now on an unknown scale, either as result of bogus identification or because the “would be” voter is not asked about citizenship.) It is the permeability of the United States, combined with the increasing scope of

“rights” legislation that intentionally blurs to invisibility whatever differences are at least theoretically in place to distinguish between citizens, legal residents and illegal resident aliens.

To ensure that *all* immigrants are eligible for *all* benefits California bill AB 1107, for example, specifically makes pregnant “undocumented immigrants” eligible for prenatal care. This bill passed and was signed by the governor.

AB 43 and SB 92 gives “undocumented” immigrant children health insurance under the “Healthy Families Program,” but no money for this benefit was incorporated into the budget at passage.

Stan Dorn, author of the study “HMO Marketing to

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Children,” estimated that this insurance program would open up a \$4.4 billion dollar market because the state was going to reimburse HMOs \$992 a year for every child enrolled. Then the Republicans got into the act. A bill authored by Charlene Zettel (R-San Diego) was passed by the Assembly that would allow HMO’s to contact families of such children directly.

AB 52 allows “undocumented” immigrants to receive various other medical services, including nursing home care, treatment for Alzheimer’s disease, services for the developmentally disabled and mental health care. This bill cleared the Assembly and the Senate Health and Human Services Committee. For now, only the nursing home care provision survived as SB 708, and was signed by the governor.

AB 1197 allows “undocumented” immigrants to pay resident tuition at California universities, rather than out-of-state fees. The higher non-resident fees would still be charged to a citizen student from Ohio or Oregon. This issue, and the decision against the University of California granting “resident status” to illegals in the Bradford Case (1991), has the same emotional charge for Hispanic activists as *Roe v Wade* has for the pro-life lobby.

The University of California and MALDEF

(Mexican American Legal Defense and Education Fund) fought for resident status for illegal alien college students all the way to the State Supreme Court, who refused to hear it. MALDEF lost twice, the second time representing the California State University system. In spite of these defeats, the Latino Caucus will not take “no” for an answer. No definitive action has been taken on this bill as of this writing but AB1197 is only the latest, and surely not the last attempt to reverse the court’s decision by legislation.<sup>6</sup>

SJR18, a joint resolution, asked the federal government to give some relief to Imperial County, California by having the Border Patrol stop availing itself of the local 911 services. It requests this federal agency to reimburse Imperial County and private providers for medical care, autopsies and burial costs for “undocumented persons.”

SB 1007 requires the California Department of Corrections to release “undocumented” alien felons in state prison to the INS upon completion of their sentences. This was considered an unfriendly bill by the Latino Caucus and was opposed by MALDEF who claimed the requirements pre-empted federal law. It was also opposed by the ACLU. At this writing, no action has been taken on this bill.

On March 2<sup>nd</sup> Assemblyman Gilbert Cedillo introduced AJR 51 whose most important provision was to ask the federal government to implement a new amnesty program, out of respect, the bill stated, for all the nation’s workers. It would grant legal status to 500,000 Central Americans and Haitians, to 10,000 Liberians and to 350,000 (illegal) immigrants who were denied amnesty in 1986.

At about the same time, the AFL-CIO called for the repeal of employer sanctions (against hiring illegals) and for a massive amnesty for the approximately 6 million illegal aliens that live in the United States. This embrace of competition for American workers, especially union members, was a puzzling about face for a group that had historically tried to keep wages high. There was speculation about infiltration of the organization by outside forces, perhaps hostile to labor’s traditional concerns.

AJR 51, the “request for amnesty” bill, was defeated for the time being on May 8, likely due to heavy lobbying via e-mail, letters, faxes and phone calls by members of CAPS (Californians for Population

Stabilization) and of FAIR (the Federation for American Immigration Reform). Ric Oberlink, a former CAPS executive director, testified for the organization in person. He told the legislators that the last amnesty of some 3 million illegal aliens had cost taxpayers about \$78 billion over the first ten years, according to a study by the Washington, D.C.-based research group, Center for Immigration Studies.

Either ambivalence about this amnesty bill, or fear of opposing the Latino Caucus was evidenced by the 30 members of the Assembly who abstained, preventing the “ayes” from having enough votes for passage. In spite of this setback, bills that request amnesty for illegals are destined to join “resident tuition” as measures that will be introduced repeatedly as the California Latino Caucus grows. Success is only a matter of time unless citizens who oppose measures like this find out what is happening in Sacramento and decide to assert themselves.

#### Meanwhile, at the National Level...

In November of last year President Clinton informed Congress that he would veto any final appropriations bill that did not include a new amnesty provision for illegal aliens, but this add-on was later delayed until the following session. Attaching amnesties to appropriations bills has become a reliable tactic in this administration; the Haitian amnesty was passed in this way in 1998.

On May 11, 2000, NumbersUSA, a non-profit group that monitors U.S. population change, FAIR, CAPS and CCIR (California Coalition for Immigration Reform) informed their members that President Clinton was trying to use the full force of the White House to reward 1.5 million of the nation’s illegal immigrants with permanent residence and the prospect of eventual citizenship. This was being attached as an amendment to the H1-B Visa bill.

Clinton’s announcement put Republicans on the spot. If they didn’t give Clinton his amnesty and he vetoed the spending bill, they could be blamed (again) for shutting down the government.

Roy Beck of NumbersUSA estimated that there would be about 700,000 amnesty applicants, but with the arrival of their family members, amnesty would add over 2 million more people to our already overcrowded country. A large percentage would settle in Southern California.

Now immigration rights organizations have filed class action lawsuits because their illegal alien clients not

only want amnesty, but millions of dollars in damages for not being granted amnesty earlier under the current law.<sup>7</sup>

Meanwhile back in California, the AFL-CIO Immigrant Worker’s Rights Forum was setting up demonstrations all over Los Angeles to support the new amnesty and the repeal of employer sanctions. Evidently, the union was now taking to heart what Assemblyman Cedillo had told the Southwest Voter’s Registration Project attendees in 1997. At that meeting he had

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boasted that “Latinos are now central to union revitalization” because they have “displaced blacks and Anglos in the clothing, hotel and restaurant industries.” Because of immigration and high birth rates (in our community) unions can be “partisan” he said, (in promoting) “full Latino empowerment.”<sup>8</sup>

Other groups co-sponsored city-wide rallies for amnesty — the Teacher’s Union, One-Stop Immigration, Hermanadad Mexicana Nacional, the familiar national and regional immigrant rights organizations and the Catholic Archdiocese of Los Angeles.

President Clinton was working hard for amnesty too. Why was an amnesty so important to him, you might wonder, when Hispanics make up less than 12 percent of the U.S. population? Well, 32 million of that 12 percent are concentrated in the states that deliver the big electoral votes: California, Florida, Texas, New York, New Jersey and Illinois. Hispanics register as Democrats in much larger numbers than as Republicans. That makes a big difference, especially in California where one million new Hispanic voters have registered in the last decade, marking the biggest change in the state’s electorate since World War II. The other five states mentioned above are on the same track.

Amnesties encourage more immigration and increasing immigrant benefits adds to the “pull” factor. Together they hasten the changes that will make the non-

Hispanic population in California, and then nationwide, both numerical and ethnic minorities.

Mexico has a big stake in hastening this outcome. It means enhanced transfers of funds from the U.S. to Mexico. Increasing the \$5 billion in remittances now sent home by U.S. residents of Mexican origin will continue to ease reformist pressure on their government. For this and other reasons Mexico wants to weaken both U.S. entry controls and interior enforcement and eventually make our two very different nations continuous.

The next “effort” to achieve this blurring of sovereignty is going to be the establishment of extensive bi-national areas straddling the U.S.- Mexican border. This will be defended as an expansion of commerce and could be the precursor to unhampered travel between the two countries, following the example of the European Union.<sup>9</sup>

Former President Zedillo was exceptionally public and forthright about where this policy is heading. In a speech in 1997 to the National Council of La Raza he said, “I have proudly affirmed that the Mexican nation extends beyond the territory enclosed by its borders.” On this occasion he announced the proposed amendment to the Mexican constitution that would allow anyone with recent Mexican heritage, who was now a citizen of another country, to maintain Mexican nationality and voting rights in Mexico. This year, in an election won by Vicente Fox, all three Mexican presidential hopefuls had campaigned in Los Angeles, where Assemblyman Antonio Villairgosa is running for Mayor.

Mexican-Americans voting in Mexico’s elections is a companion issue to voting rights in the United States for non-citizens. Advocates of this idea insist that all “residents” should be able to vote and that residency under state law is distinct from the person’s immigration status under federal law. This is the same argument used in favor of resident tuition for illegal aliens in California colleges.

Progress toward all these objectives continues apace and accolades for the superior strategy of Hispanic political groups are warranted. Most astute is their manipulation of language, and the understanding it

reveals about how the name you give to something can determine what you think about it.

Expensive public relations firms earned their fees when they came up with phrases like “the scapegoating of immigrants,” (used in fighting Proposition 187) and “the greening of hate,” (used against environmental groups who oppose immigration’s contribution to increased population.)

But the most brilliant propaganda victory was the euphemism “undocumented immigrant” for “illegal alien,” a term that by sheer repetition rendered an accurate description of status that is codified in law so pejorative that it became impermissible and transformed illegal aliens into folks with curable “legal paper deficiencies,” i.e. the “differently documented immigrant.”

This dishonest description is challenged infrequently, and certainly not in the California legislature where it is used in the titles and language of every bill dealing with a class of persons from whom the onus of wrongdoing has been successfully removed.

More immigration and “amnesty ad infinitum” interact with each other to ratchet up the growth of the nation even faster than experts have predicted. Frequent amnesties make illegality both temporary and reversible because illegal aliens are virtually never “removed” permanently once they reach the interior of the United States, and are rarely deported unless they are dangerous felons, and not always then.

Six million people live and work in the United States without permission, many for decades. They are able to do that partly because they cannot be asked routinely about their status — an inquiry that could violate their civil rights.

The precedent of the 1986 amnesty and subsequent amnesties, the availability of bogus identities, the conflicting mandates from Congress to the INS, and the reluctance of the public to be energized on this issue has made it possible for the most selfish of political and business interests to continue what writer Peter Brimelow has called a “stupid and evil policy”— stupid because cheap labor is not cheap and the demand for this temporary gratification is more than offset by its long

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term price; evil because a nation that stabilized its population in 1970 will now leave an overcrowded and very different country to its descendants — a place where serious ethnic strife is looming and where the bounty of nature can no longer be counted on to sustain its own citizens.

Yet immigration advocates insist that admitting more people is all for the best and associate restriction with pessimism and “wrong headed” populism. Yet, there is clearly no popular support in California for continuous growth and the resource depletion that follows. In fact, on few issues has such a large majority of voters made its wishes more perfectly clear to elected officials.

But instead of responding to the voters’ mandate for a slowdown in demographic and cultural change, expressed in three successful initiatives: 187 (illegal alien benefits), 209 (affirmative action) and 227 (bilingual education), both President Clinton and Governor Davis are intent on garnering for their party even bigger Democrat majorities. This is the long term goal of the current amnesty efforts.

Democrats in our state now have a governor, two U.S. Senators and a majority in Sacramento in control of all the top state offices. But in an election year, they work for even bigger numbers, ASAP, although the ethnic, and therefore the political future of California is already assured. Seventy percent of all students in the Los Angeles Unified School District are Hispanic.

The fraud-ridden Citizens USA program and the Southwest Voter’s Registration Project have been favorite vote-getting vehicles for Clinton and Gore. And door-to-door registration is a major activity for the dozens of pro-immigration Hispanic activist groups who receive millions in taxpayer funds and foundation largesse to sign people up to vote.

Assembly Bill 2000, by Speaker Villaraigosa, calls for a California Civil Rights Commission — a state agency to “prevent intergroup tensions” and a place where “bias-motivated incidents” can be dealt with. It would serve as a shield against those who may object to current immigration levels and the lessening of requirements for citizenship.

More than twenty so-called “hate violence” bills were introduced in the 1999-2000 session, revealing a concern that opposition to high immigration levels might erupt fairly soon. This is a well-founded fear because majority objections to current policy have been

demonstrated by virtually every opinion poll that has been taken on the subject — not surprising since more than six million Californians voted for Proposition 187.

Curbs on speech could constrain objections to a multiculturalism that many believe has run amok — a result of our virtually open borders and past amnesties — policies that increase California’s unmanageably large population and interfere with the mutuality that comes from common cultural ideals. Immigration reductionists wonder: if diversity is so wonderful, why do we need these new initiatives to “reduce inter-group tension and hate crime?”

If the goal of the government is to eliminate our separation from Mexico in stages, then the response of

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federal authorities to protecting our borders becomes comprehensible. If illegal crossing will be forgiven eventually, it *is* wasteful of resources to try too hard to keep people out.

In Douglas, Arizona, it is ranchers who are arming to keep thousands of Mexican nationals from crossing their property, cutting their fences and breaking into their houses. The response from Washington has been “tepid,” so a decision to permit this incursion has likely been made at the highest level. What other interpretation is possible when the means to stop it are withheld, and the psychology of an effective defense (that every war college teaches) has been turned on its head?

In *Scenes at Fort Laramie*, Francis Parkman described how the Dahcotah comported themselves in 1846 when new settlers lapsed in a show of their confidence. “They (the Dahcotahs) become ever more insolent and exacting in their demands,” he wrote, “and with each demand acceded to, they become more presumptuous and rapacious. Any timorousness on the

part of the settlers creates a very dangerous situation,” he warned, “that mounts to a higher pitch with each concession” — after which the Indians “threaten them with more destruction or kill them.” Parkman wrote that “military force and military law are urgently needed in this perilous region” and advised “a very bold bearing that commanded respect.”

The behavior of our federal and state government today on our perilous border would surely embarrass the corps at Fort Laramie. Instead of a “bold bearing” we see self-serving inaction and political duplicity, reminiscent of the perfidy of the French trappers of 150 years ago who instigated those Indian attacks on American wagon trains — and all for the purpose of guarding their traffic in beaver skins. €

## NOTES

<sup>1</sup> Doug Willis of Associated Press in the *Orange County Register*, May 8, 2000.

<sup>2</sup> After the last amnesty, new citizens were created as quickly as possible with federal programs like Citizenship USA. This program rushed applicants through without the necessary checks, including large numbers of immigrants with criminal records.

<sup>3</sup> The “force of mortality” is the most commonly used example of instant-by-instant shrinking of the time when a known event will occur. In California, the demographic changes are hurtling forward at accelerating speed.

<sup>4</sup> From a speech delivered at the Southwest Voter’s Registration Project Annual Conference, Summer 1998.

When Gray Davis was a candidate for Governor he used “correct” code words and expressions when speaking to Hispanics — said he would appoint people “who look like you,” told about his visit with President Zedillo and how he would improve relations with Mexico and how “their community” did not deserve to be “scapegoated by propositions 187 and 209.” (The author is indebted to the California Coalition for Immigration Reform who recorded the speech from which these quotes were taken.)

<sup>5</sup> See “Permissive Immigration vs Global Peace in the 21<sup>st</sup> Century” by Miles D. Wolpin, *The Journal of Social, Political and Economic Studies*, Fall 1998, Vol.23, No. 3, pages 259-279.

<sup>6</sup> The story of David P. Bradford is an example of what one courageous person can do. He was fired from his job at UCLA for refusing to certify “undocumented” students as legal residents for tuition purposes. His suit against the University of California was filed in 1986 and dragged on for years. The most interesting part of the litigation was how the university gave “diversity” priority over legality.

<sup>7</sup> Immigrant rights attorney Peter Shey, plaintiff’s attorney in the landmark Supreme Court Case, *Plyler v. Doe*, quoted in May 2000 issue, *Middle America News*.

<sup>8</sup> From a speech taped by representatives of California Coalition for Immigration Reform.

<sup>9</sup> President Clinton issued executive order No. 13122 on May 25, 1999 wherein the Southwest border “region” is defined as 150 miles north of the border between the United States and Mexico. There are a number of other bi-national initiatives in place.