

UNLEASH THE **DREAM**:

END THE COLOSSAL WASTE OF YOUNG IMMIGRANT TALENT



Photo courtesy of Guillermo Reyes

Unleash the DREAM: End the Colossal Waste of Young Immigrant Talent

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To protect and promote the basic rights of immigrants

About Florida Immigrant Advocacy Center

Florida Immigrant Advocacy Center (FIAC) is one of the nation's largest non-profit immigration law firms. Since its founding in 1996, FIAC has closed more than 65,000 cases. This direct service work informs its broader policy work, positioning FIAC as a powerful national advocate for immigrants' rights and a leader in the immigration field. FIAC influences national policy; successfully litigates or otherwise challenges patterns of abuse; and takes a leading role in educating the public about the impact that immigration laws and directives have on our communities. FIAC is dedicated to protecting and promoting the basic rights of immigrants.

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Unleash the DREAM: End the Colossal Waste of Young Immigrant Talent

By Cheryl Little and Susana Barciela

The calls to FIAC come regularly from college administrators, teachers, relatives and friends: Help save this wonderful young immigrant. Many of the stories in this report are personal. We know these talented kids, and this country is better for having them. All of us would benefit greatly by allowing them to legalize their status. This report is dedicated to them, especially to Felipe, Gaby, Carlos and Juan.

We also thank all our supporters and funders for making this report and other advocacy efforts possible.

Acronyms

AA:	Associate in Art degree
ASU:	Arizona State University
CBP:	Customs and Border Patrol
DHS:	Department of Homeland Security
DOD:	Department of Defense
DREAM Act:	Development Relief and Education for Alien Minors Act
FIAC:	Florida Immigrant Advocacy Center
FIU:	Florida International University
GED:	General Education Diploma
ICE:	Immigration and Customs Enforcement
JROTC:	Junior Reserve Officers' Training Corps
MDC:	Miami Dade College
MIT:	Massachusetts Institute of Technology
NASA:	National Aeronautics and Space Administration
NYSYLC:	New York State Youth Leadership Council
SAT:	Standardized Assessment Test
SWER:	Students Working for Equal Rights
UCLA:	University of California Los Angeles

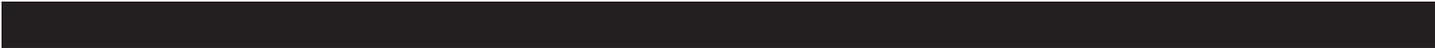


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Introduction

We are aware of the risk. We are risking our future because our present is unbearable.

Felipe Matos, 23, on a 1,500-mile march to Washington D.C. ¹

How much talent can the United States afford to waste?

Some 65,000 students graduate high school each year to face bleak prospects regardless of their talent and potential to significantly contribute to the United States. ² Without a path to legal status, their principal options are dead-end jobs. They live in fear of deportation. They cannot drive or work legally. They are ineligible for most college scholarships and loans and, in most states, in-state tuition.

Consequently, many drop out of higher education due to prohibitively high costs.

There is a promising fix, however. DREAM Act legislation in Congress would offer these students a path to legal status and higher education. Beyond helping deserving youth improve their prospects for prosperous lives, the bill would do much more for the nation as a whole.

The DREAM Act would stop the colossal brain drain that occurs when ambitious young people are deported or blocked from achieving their full potential as doctors, scientists, academics, entrepreneurs, military officers -- and in other careers that require higher education. Were their talents unleashed, these new Americans will earn, spend and invest more in the U.S. economy. At a time of increasing demand for highly skilled "knowledge workers" in a global economy, the legalization of bicultural and multilingual youth will pay enormous dividends. ³

Trail of Dreams

Felipe Matos, Gaby Pacheco, Carlos Roa, and Juan Rodriguez are examples of the talent offered by such youth. In the tradition of the civil-rights movement, these students walked 1,500-miles from Miami to Washington, D.C., to promote the DREAM Act and other immigration reform. ⁴ They dubbed the march "Trail of Dreams." Though their life histories vary, they share common goals: "We are four students from Florida ... who were brought to the United States by our families when we were young. This is the only

country we have known as home. We have the same hopes and dreams as other young people, and have worked hard to excel in school and contribute to our communities. But because of our immigration status, we've spent our childhoods in fear and hiding, unable to achieve our full potential."

"We walk in order to share our stories and to call on our leaders to fix the system that forces people like us into the shadows, stripping us of the opportunity to participate meaningfully in society." ⁵

The four "Dream Walkers," as they are called, reflect the aspirations and frustrations of what academia calls the "1.5 generation." They live in two worlds. They did not choose to come here as do first generation immigrants, but are not fully second generation because they were born and lived abroad when very young. Most of them have been educated in U.S. primary and secondary schools. They are like their U.S.-born classmates in their interests and dreams and customs. Yet because they cannot fully realize their dreams, the wealth of talent they could contribute to this country is lost. ⁶



Juan Rodriguez and Felipe Matos starting the 1,500 mile Trail of Dreams from Miami's Freedom Tower.

Photo courtesy of www.trail2010.org

Personal Journeys

Despite significant obstacles, all four walkers have demonstrated remarkable leadership, academic achievements and community service:



Felipe

- At age 14, Felipe was sent to Miami from Brazil by his mother, in part because she was ill. The abrupt change did not stop him from excelling. By 2008, he served as president of the student government and as student representative for the board of trustees

at Miami Dade College (MDC), the nation's largest community college. He was one of only 20 students nationwide to receive an All USA Academic Award and was named a New Century Scholar, an award for the state's top community college student.⁷

He also has been recognized for countless hours of community service, including creating a mentoring program for elementary-school children. Though accepted to top colleges, he could not afford to go due to the bars on financial aid. Now 24, he is studying economics at a Miami university.

"I am the proud son of a poor, single mother that barely had enough to provide for her children even though she spent practically her whole life working three jobs as a maid," Felipe said. "I know how it feels to not have material possessions and must say that poverty isn't half as bad to children when they have love lavished upon them to fill their hearts. However, the bitter taste of injustice stays longer and it is the only thing that I am determined to eradicate from my life and the life of those I have come to love all around me and across this continent."⁸



Gaby

- Gaby, 25, was brought to this country from Ecuador at age 7. In 2006, immigration agents raided her family home, and they have been fighting deportation since. Nonetheless, she has earned two associates degrees in music and early childhood education and is working

on her BA in special education K-12. A born leader, Gaby has served as president of the student government at MDC as well as for the statewide Junior Community College Student Government Association. She is a

founder of Students Working for Equal Rights (SWER), an organization advocating on behalf of undocumented youth. In her high school, Gaby was the highest ranked Junior ROTC student and scored highest on the military's vocational aptitude test. No wonder the Air Force tried to recruit her. Her status prevented her from serving.

"I always felt like I was a caged bird. Once, I was fine in the cage -- it was still small and I had a little room to fly," Gaby said. "However, now after fighting six years in the struggle, receiving several college degrees, and having had the opportunity of a fabulous job, my wings have grown too large and the cage began hurting me."⁹



Carlos

- Carlos was brought here at age 2 from Venezuela. In high school, he also talked with military recruiters. He wanted to join the Air Force, through which he hoped to complete a college engineering education.

He couldn't because U.S. residency is required to enlist. Yet his paternal grandfather was a U.S. Citizen as is one sister. Another sister is a lawful permanent resident. For years he was frustrated at the barriers to higher education.

***We walk in order to share our stories
and to call on our leaders to fix the
system that forces people like us
into shadows, stripping us of the
opportunity to participate
meaningfully in society.***

Trail of DREAMs web site, March 2009

Finally, after becoming an immigrant-rights activist, he enrolled at MDC in 2009 and began studying architecture. Even so, he can only take a few classes a semester due to the expense. Though he has lived in Florida for 18 years, he still had to pay the much higher cost of non-resident tuition. As a MDC Student Ambassador, he has advocated for the college in the state capitol. He's a community leader involved in SWER and the Florida Immigrant Coalition. After 20

years here, he has no memory of Venezuela. Carlos draws much of his courage from his mother, who died here in 2006 after a decade-long battle with breast cancer.

Speaking of her, he said: “I walk as her strength lives through me; I walk as the endless cries of over a million undocumented mothers and fathers echo through my mind. I walk because our broken immigration system needs to recognize its effects on the destruction of our families. It needs to acknowledge our humanity once and for all.”¹⁰



Juan • Juan Rodriguez, now 20, was 6-years old when brought to this country from Colombia. Though a top student and activist, he admits being discouraged when he realized that he could not achieve his goals no matter how good his grades or community service. Last year he was fortunate to obtain U.S. residency thanks to his stepmother. Ultimately he hopes to graduate with a sociology degree from the University of Chicago and work to improve communities. Meantime, he still is committed to helping undocumented students.

Carlos commented:

“This year alone in America, 65,000 new students wonder if they will ever be able to sit in a lecture hall of a university or college, or if this country will continue to shut its doors on them only because they are missing a sheet of paper or a rectangular piece of plastic that somehow legitimizes their existence.”¹¹ The DREAM Act was designed for youth like those on the Trail of Dreams: students who were brought to this country at an early age, worked hard, and wish to attend college or serve in the U.S. military. An estimated 65,000 high school students graduating each year and 360,000 others who already have graduated high-school would have a shot at a green card and higher education through the DREAM Act.¹²

The Wilson Four

Regrettably, many DREAM Act candidates fail to overcome the significant barriers to completing a college

degree, much less to obtain a job with advancement prospects. In this respect, the experience of another four teens is instructive. In 2002, four students from Wilson Charter High School in Phoenix were part of a team competing in an international science competition in upstate New York. They had worked nine months building an award-winning solar-powered boat. While there, a teacher took them on a side trip to see Niagara Falls where Customs and Border Patrol (CPB) agents detained them. The Wilson Four, as they became known, were placed in deportation proceedings.

The thought of being deported shocked and distressed all of them. Luis Nava, for example, had not known he was undocumented until he was detained. “I consider myself an American. I don't know Mexico,” he said at the time. “And all these hard years I worked in school, just to be kicked out like that.”¹³

Their predicament became national news, and for good reason.¹⁴

The Wilson Four had been brought to this country between ages 2 and 7. They watched American sitcoms and movies, listened to pop music and dreamed of excelling in college. They grew up in Phoenix and were exceptional students. One wanted a U.S. military career, another to be a lawyer.¹⁵ One knew enough about U.S. constitutional rights to ask to see a lawyer repeatedly after being detained, though he was denied all four times.¹⁶ They were American in every way except on paper.

These four students begged the question: Why does this country want to deport young people with proven potential to enrich it through their careers and community service?

Dreaming of Better

The Wilson Four put a human face on the DREAM Act, which had only been introduced in Congress a year earlier.¹⁷ For four long years, these students fought a tough legal battle. Finally, in 2005, an immigration judge concluded that immigration officers had targeted them illegally due to their Hispanic looks and threw out their deportation cases. And in 2006, a federal court upheld that decision.¹⁸

Yet even after imminent deportation no longer threatened, their futures remained circumscribed by the lack of a green card. Today, Luis Nava is the only one of the group who has attained legal status. Through marriage, he is now a U.S. resident. He attended the business school at Arizona State University where he earned two degrees. Once he had his green card, he obtained a management job with a Phoenix trucking company.¹⁹ Today he can pursue the American dream.

None of the others, now all age 25, have completed college.

Jaime Damian was an aspiring pilot who wanted to join the Air Force in 2002. He is now in the process of legalizing through marriage and no longer is interested in the military.

Yuliana Huicochea and Oscar Corona face bleaker career prospects.²⁰ Yuliana wanted to practice law. Oscar wanted to avoid the life of his undocumented brothers whose jobs were manual low-wage, back-breaking labor. Unfortunately, without legal status or work permits, they will find it next to impossible to embark on promising careers and move forward in their lives.²¹

Their stifled potential is our loss. Enacting The DREAM Act would enable talented immigrant youth to enrich this nation.

The DREAM Act Return on Investment

In 1982, the U.S. Supreme Court ruled that denying undocumented children a free public school education violated the Equal Protection Clause of the Fourteenth Amendment. Writing for the court majority in *Plyler v. Doe*, Justice William J. Brennan noted that undocumented children have no control over their parents' actions.²² "Even if the State found it expedient to control the conduct of adults by acting against their children," he said, "legislation directing the onus of a parent's misconduct against his children does not comport with fundamental conceptions of justice."²³

Legislation directing the onus of a parent's misconduct against children does not comport with fundamental conceptions of justice.

*Supreme Court Justice William J. Brennan,
Plyer v. Doe, 457 U.S. 202 (1982)*

In other words, it is patently unfair to bar undocumented children from public education benefits when they had no choice in coming to this country. Children should not be penalized for their parents' decisions.

Since then, undocumented children have had equal access to public elementary and secondary public schools. When they graduate high school, however, they hit a brick wall. Barriers to higher education and to enlisting in U.S. Armed Forces are insurmountable for many of them.

DREAM Act basics

First introduced in 2001, the Development, Relief, and Education for Alien Minors (DREAM) Act, offers a path to legal status to deserving high-school graduates who stay out of trouble and attend college or serve in the U.S. military for at least two years. The legislation would also eliminate a federal requirement that penalizes states that allow undocumented students equal access to in-state tuition. Ten states currently do so.

The latest versions of the bill, S.729 and H.R.1751, were reintroduced on March 26, 2009 by Sens. Richard Durbin

(D-IL) and Richard Lugar (R-IN) in the U.S. Senate; and by Reps. Howard Berman (D-CA), Lincoln Diaz-Balart (R-FL), and Lucille Roybal-Allard (D-CA) in the U.S. House. The bills have bipartisan cosponsors, 113 in the House and 35 in the Senate as of April 19.²⁴

The following briefly describes the legislation:

Who would qualify

- High-school graduates of good moral character who arrived in the United States at age 15 or younger and lived here at least five years before the bill's enactment.
- The Senate version also requires the student to be under age 35.
- They stayed out of trouble with the law and were not a security risk or inadmissible on other grounds.²⁵

Conditional status

- Students would be eligible for conditional permanent resident status once they were accepted to a college, awarded a GED or graduated from high school.
- Their status would be limited to 6 years under normal circumstances.
- They would not qualify for federally funded financial aid, yet they would be eligible for federal work study. States would not be restricted from providing them financial aid.
- Their time of conditional status would count toward naturalization residency requirements.²⁶

Permanent status

- The student would be granted lawful permanent resident status once she graduated from a two-year college or certain vocational schools or served in the U.S. military for at least two years.
- The six-year limit for these requirements could be extended if the student showed good cause.²⁷

In-state tuition

- Federal law requires states that provide a higher-education benefit regardless of status to also offer those benefits to U.S. citizens of any other state.
- Currently, 10 states allow resident undocumented students to pay discounted in-state tuition. Under the law, these states must also offer in-state tuition to any resident of other states who had previously graduated high school in their state.

- The DREAM Act would allow states to choose to offer in-state tuition to undocumented students without being penalized by federal law. ²⁸

Estimates of eligible students

- 65,000 students graduating high school would become eligible annually. ²⁹
- 360,000 high-school graduates ages 18-24 would immediately be eligible for conditional status, which would allow them to work legally while they pursue a college education or join the military. ³⁰
- 715,000 youth ages 5 to 17 would be eligible at some time in the future. The DREAM Act would offer them an incentive to study, graduate high school and seek higher education. ³¹

The DREAM Act would help equalize the playing field for undocumented students at a time when a high-school diploma no longer ensures economic success or social mobility. A uniform federal policy would also remedy disparities that exist among states with respect to in-state tuition and other measures that further limit the access of undocumented students to higher education. ³²

Roberto G. Gonzales makes the point in an excellent 2009 College Board report: “The initial investment in their K-12 education pays relatively few economic dividends as long as they are limited in their ability to continue on to college and obtain higher-skilled (and higher-paying) jobs that require more than a high school diploma.” ³³

This country spends upward of \$100,000 to educate an undocumented student through 12th grade in public schools. ³⁴ To then deport or deprive a student from achieving their highest potential is a terrible waste of that investment both for the student and this nation.

At the same time that the DREAM Act would resolve a vexing immigration problem that affects undocumented youth, it would also provide strategic, economic and

military benefits for the United States. Nonetheless, as a whole, the U.S. immigration system will remain broken and a drag on this country until and unless Congress enacts sensible comprehensive reform. Congressman Berman described these critical issues well upon introducing the DREAM Act last year.

He said:

“It makes no sense to me that we maintain a system that brings in thousands of highly-skilled foreign guest workers each year to fill a gap in our domestic workforce, and at the same time do nothing to provide an opportunity to kids who have grown up here, gone to school here and want to prepare themselves for these jobs or serve their country in the military. This is the illogical outcome of our

current immigration laws that the DREAM Act will fix. I encourage my colleagues to join us in this effort.

“I want to add that the issues addressed in the American DREAM Act are just a fraction of the

problems in our immigration system. The DREAM Act came about because our immigration laws are, and have been for some time, broken. It is very important that we pass this piece of legislation this year. But it is my fondest hope that we will put together a comprehensive immigration reform package that includes the DREAM Act as it was introduced today, and it is my intention to work for and pass that comprehensive immigration reform package this year.” ³⁵

The DREAM Act came about because our immigration laws are, and have been for some time, broken.

*U.S. Representative Howard Berman, D-CA,
March 26, 2009*

DREAM Act Dividends in a Knowledge-Based Global Economy

Our country needs more young achievers like the Reyes brothers, who through no fault of their own were brought here at a young age. Further, under the proposed DREAM Act and possible comprehensive immigration reform being discussed in Congress, they would be eligible to earn legal status. To deport them would be a terrible loss of their productive potential.

*Miami Dade College President Eduardo J. Padrón.
November 17, 2009*³⁶

Jesus Reyes is a born leader. Brought from Venezuela when he was 11, he demonstrated the desire to contribute to his adopted country through academic achievement and community service. While making the Dean's List every term at MDC's Honors College, he volunteered to tutor students in math and to assist biology department staff. He was elected student government president of his campus and was a leader in other student groups and a campus ministry. At commencement, Jesus did an outstanding job introducing then-U.S. Secretary of Education Margaret Spellings. He also interned with U.S. Rep. Ileana Ros Letinen in her local district office.

Between 1995 and 2005, one or more immigrants were key founders in more than half of Silicon Valley start-ups.

Now 21, he is volunteering at FIAC and helped with the logistics for the Trail of Dreams walkers. Jesus dreams of going to law school and seeking elected office. His brothers are equally accomplished and ambitious.

Marcos, 23, obtained his AA in computer programming at MDC's Honor's College. He is continuing his studies at Florida International University (FIU) and wants to work as an engineer for NASA. Guillermo, 25, graduated from MDC with an AA in computer animation and web design. He, too, is volunteering at FIAC. Recently he was admitted to Florida Atlantic University, where he plans to complete his BA and major in computer arts animation and special effects. Guillermo and Marcos have started their own company named Unlimited Flow.



*Jesus, Guillermo and Marcos Reyes
at the FIAC 2010 Awards Dinner.*

Photo Courtesy of Jilliane Pierce

The brothers offer services such as photography, web and graphic design, logos and illustrations, as well as computer engineering and programming.

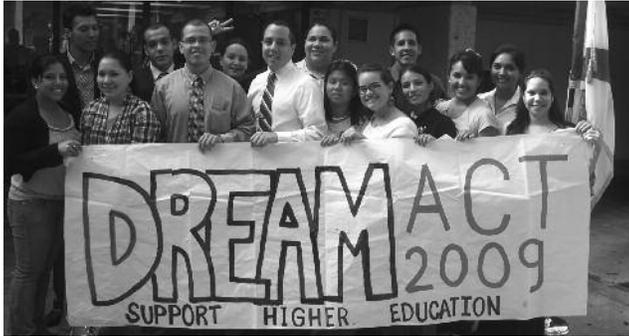
'A Terrible Loss'

Immigration officers detained Jesus and Guillermo one morning in November 2009. Miami Dade College President Eduardo J. Padrón called to ask FIAC to help them. They were at risk of being deported, regardless of their merits. Arguing for their staying in this country, Dr. Padrón noted, "To deport them would be a terrible loss of their productive potential."³⁷

Fortunately, after tremendous efforts led by FIAC, SWER, other advocates and Congress members, ICE released Jesus and Guillermo and granted all three brothers a one year deferral from deportation. But what happens after the year is up on November 20, 2010?

Their deportation would be a needless waste of talent for this country. Add to that the wasted talent of hundreds of thousands of other DREAM Act candidates subject to deportation or blocked from advancement by their status. The result is a needless brain drain of homegrown talent at a time when it is vitally needed.

Conversely, imagine how much more the Reyes brothers, Trail of Dreams students, Wilson Four and many others would contribute to U.S. society overall given the opportunity to legalize their status. The DREAM Act would pay significant economic and social dividends for years to come.



The Reyes Brothers at the Miami Dade College Thank You Rally

Jobs and Growth

Immigrant labor long has been a driving force in the U.S. economy, and not only in building the railroads that opened the West to development. Immigrant scientists, engineers and entrepreneurs have played key roles in innovation, job creation and economic growth throughout our history. ³⁸ Between 1995 and 2005, for example, one or more immigrants were key founders in more than half of Silicon Valley start-ups. These entrepreneurs had the advantage that they entered the country legally. ³⁹

To remain prosperous in an increasingly competitive global market, the United States needs the best and brightest minds. ⁴⁰ Yet relatively fewer U.S.-born students are going into science and technology, fields crucial for continued innovation and economic growth. Foreign-born students are earning the lion’s share of doctorates in engineering (68 percent), computer sciences (65 percent), math (57 percent) and physical sciences (51 percent). ⁴¹ Moreover, there is growing concern that many of these skilled immigrants are leaving the United States and causing a “reverse brain drain.” ⁴²

DREAM Act students should have an equal shot at competing for such doctoral programs. They already are here and bicultural. They would put their brains to work for the benefit of the country they love and consider home. They could become a valuable pool of educated and technically savvy knowledge workers.

Like other immigrants and children of immigrants, DREAM Act students also would be more inclined to start their own businesses relative to native-born counterparts. ⁴³ The two Reyes brothers who have

started up a computer design and engineering firm are not alone in their entrepreneurial spirit.

Indeed, many studies document the beneficial impact of legalization. When offered the chance to gain legal status, undocumented immigrants climb social and economic ladders, which in turn benefit the greater society. ⁴⁴ When they earn more and have better job prospects, they contribute more taxes and in other ways that improve local communities and the nation overall.

“Legalization also creates higher household investments in family-wide education, boosting college-going rates among children, as well as creating very high rates of home ownership and small business investments that have historically been economic engines of job creation and community revitalization,” said Raúl Hinojosa-Ojeda, Executive Director, UCLA North American Integration and Development Center.” ⁴⁵

Young Lives on Hold, the 2009 College Board report, presents data showing how the green card is a ticket to further education and superior jobs.

It is likely that if currently undocumented students were granted legal status, they would not only improve their own circumstances but, in turn, make greater contributions to the U.S. economy.

“Young Lives on Hold,” College Board Report, April 2009

The report notes:

“Given the opportunity to receive additional education and training, and move into better paying jobs, legalized immigrants pay more in taxes and have more money to spend and invest. It is therefore likely that if currently undocumented students were granted legal status, they would not only improve their own circumstances but, in turn, make greater contributions to the U.S. economy.”

“In fact, the economic benefits derived from obtaining legal status would likely be even greater for the undocumented 1.5 generation because these students would combine their newfound labor mobility and freedom from immigration enforcement with significantly increased educational attainment.”⁴⁶

With increased education, more pay and career opportunities follow. That is truer now than ever as knowledge is increasingly prized in the job market. The more educated reap greater rewards. Bureau of Labor Statistics data for workers in 2006 show how higher educational levels boost wages and employment opportunity:⁴⁷

Educational Attainment	Weekly Earnings	Unemployment Rate
No high school diploma	\$419	6.8%
Bachelor’s degree	\$962	2.3%
Doctorate	\$1,441	1.4%

Other studies document the benefits of higher salaries and education to society as a whole. A 2007 College Board report found that college graduates typically earn over 60 percent more than average high school graduates during their working lives; the earnings premium jumps to as much as three times more earnings for people with advanced degrees. With better health, pension and other benefits, college graduates pay back dividends in higher local, state and federal tax contributions.⁴⁸

College-educated individuals typically are more inclined than others to do volunteer work, donate blood, and have healthier habits – traits that benefit society overall.

Future Labor Needs

These economic and social dividends would be multiplied by DREAM Act students eager to earn college degrees and climb the socio-economic ladder. Baby boomers and other demographic trends amplify the significance of immigrant youth in the workforce. Retiring baby boomers are projected to leave more than 5 million unfilled jobs by 2018.⁴⁹

U.S. businesses potentially will face acute shortages for skilled managers and leaders in industries such as aerospace and defense, utilities, healthcare, insurance and

financial services, and public education, aerospace and defense, utilities, health care, insurance and financial services, and public education. At the same time, to maintain a competitive edge these U.S. businesses will need future workers to excel in a highly technological global arena.⁵⁰

Many of those future jobs could be filled by students who are multilingual, multicultural and already here. They need the U.S. Congress and President to enact the DREAM Act to provide them the opportunity to thrive and invest their talent in this country.

How the DREAM Act Will Benefit U.S. Armed Forces

I would have contributed my heart and my devotion. I would have died for my country. I never have done anything half way, and I would have done the same for the Marines.

Noe Guzman, March 31, 2010 ⁵¹

Noe Guzman grew up in small American towns. When he was in seventh grade, his family moved to New Haven. This rural town outside of St. Louis, Missouri, is so small that his high school class numbered 33. An outgoing teenager, Noe ran cross country, made honor roll every semester, and joined the Student Council and Future Business Leaders of America.

The DREAM ACT “would be tremendously beneficial to the military. It gives the opportunity to enlist hundreds of thousands of high-quality people.”

Margaret Stock, Sept. 21, 2007

He played drums for the school’s marching band, The Shamrocks, which won the band competition year after year in the St. Patrick’s Day parade in St. Louis. Every year he joined other kids from school to visit the nursing home, planting flowers in the spring and raking leaves in the fall. ⁵²

He was the only Hispanic in his class, but he was as American as all the other students. And like the folks in New Haven, Noe deeply respected the town’s veterans. When he was a high-school freshman, Marine recruiters came to his school. They returned his junior year, were impressed with his pull-ups and, later, with his high scores on an Armed Forces vocational-aptitude test. He in turn was impressed by the Marine Corps. Noe wanted to enlist.

That summer he went to St. Louis to take his physical. Instead of enlisting, he was handcuffed, shackled and detained by an Immigration and Customs Enforcement (ICE) officer. Until the officer told him, he had not known he was undocumented.

Stressed and Depressed

Then in a moment, life as he knew it evaporated. He was stunned. Noe had been 4-years old when his mother brought him here from Mexico. Though not detained, he was placed into deportation proceedings and told he had little chance of staying in this country. He went to his first two court hearings without a lawyer.

“For a while I was very stressed out and depressed. I didn’t see my life going very far,” Noe said. “I hate for other people to go through that.” That’s why he wants the DREAM Act to pass. “It’s not just me, but more than 350,000 kids like me that have to live stressed out.” ⁵³

Noe was fortunate to find a pro bono lawyer from Interfaith Legal Services for Immigrants, a nonprofit group in St. Louis. With their help, he was granted a deferral of deportation by ICE. Now, he will turn 19 in May in the only country he knows as home. Thanks to friends who help pay his tuition and a Dean’s Academic Scholarship, he is in his first year of college near Chicago. An aspiring anesthesiologist, he is taking pre-med courses. Meanwhile, he is a multi-language major brushing up on his Spanish while learning French and Chinese.

Though his deportation is not imminent, Noe knows his future is uncertain. “Getting allowed to stay for now is great, but I’m still in limbo,” he explained. “That keeps playing in my head.”

Military Material

Immigrants have played important roles in the U.S. Armed Forces since the Revolutionary War. In the aftermath of the September 11, 2001 attacks, Congress has modified military rules to expand benefits for immigrants in the military and encourage their enlistment. After the war began in Afghanistan, enlisted immigrants became eligible for naturalization under a special wartime statute. Without immigrants, the military would not have enough interpreters and cultural experts. ⁵⁴

As military expert Margaret Stock has noted, DREAM Act students would greatly benefit the military for a number of reasons: ⁵⁵

- Having graduated from high-school, they are in the targeted age group;
- Many speak English and another language fluently;

- Many participated in Junior ROTC in high school;
- They have no criminal record or signs of poor moral character;
- They have lived in the United States at least 5 years, which is more than what the U.S. military requires to enlist lawful permanent residents.⁵⁶

If approved for conditional permanent resident status, DREAM Act recruits would bring additional merits:

- Conditional status is accepted under current military recruiting regulations, thus, no change of regulation or enlistment procedure would be necessary;
- They would have undergone thorough security and criminal-background checks by DHS.
- They would have added incentive to serve this country and achieve permanent lawful status.⁵⁷

Passage of the DREAM Act “would be tremendously beneficial to the military,” Stock said. “It gives the opportunity to enlist hundreds of thousands of high-quality people. They will be encouraged to join the U.S. military.”⁵⁸

A Strategic Goal

Indeed, the DREAM Act is now included in the U.S. military’s strategic plan for fiscal years 2010-2012. It appears under the Department of Defense (DOD) Office of Personnel and Readiness’ strategic goal 2: “Shape and maintain a mission-ready All-Volunteer Force.”⁵⁹

For this goal, the plan asserts, “The All-Volunteer Force is the foundation of the Nation’s current and future security.” Further, goal 2 focuses on “ensuring that the Department recruits, retains, and develops the quantity, quality and skills to support current and future military capabilities.” Included in this goal’s first objective is to find “smart ways to sustain quality assurance” through various recruiting programs as well as the “DREAM initiative.”⁶⁰ Bill Carr, the Pentagon’s Deputy Undersecretary of Defense for Military Personnel Policy,

repeatedly has affirmed the DREAM Act’s value. In 2007 he supported the bill because it would be “good for readiness,” particularly at a time of war. To be eligible, students would be the “cream of the crop,” he said, which was “very appealing” to the military. The bill would also help at times when U.S. Armed Forces struggle to enlist new recruits and to increase its overall ranks.⁶¹

Despite a successful recruit year in 2009, in part due to hefty bonuses and high unemployment,⁶² the competition for quality personnel will rise nationwide as hiring begins to pick up steam, even if slowly.

Fewer Recruiting Targets

Carr also noted other factors that will challenge recruiters.

For example, medical eligibility has fallen, principally as a consequence of obesity. And the relative number of high school graduates who don’t go to college, a recruiting target group, is shrinking. “In the 1980s, about half of American high-school students went on to college,” he said. “Today, that number is about 70 percent.”⁶³



Photo courtesy of Guillermo Reyes

Not only would Dream Act students be a high-quality pool for recruitment, they also would likely be more inclined to serve in the military compared to other populations. As a Rand Corporation study reported, a 2007 DOD poll found that male Hispanic youth had a higher propensity to serve in the military. Responding to the question “How likely is it that you will be serving in the military in the next few years?,” 12.6 percent of polled Hispanic males responded positively. By comparison, only 10.1 percent black males and 6.6 percent white males responded positively.⁶⁴

RAND also noted that this higher propensity to enlist by Hispanic youth has been documented by previous studies.⁶⁵ Nonetheless, Hispanics “are underrepresented among military recruits.”⁶⁶ These factors are significant because some 80 percent of undocumented youth in the United States, the potential DREAM act pool, come from countries in Latin America, primarily Mexico.⁶⁷

Thus, the DREAM Act could also lessen the relative disparity of Hispanics in the U.S. military.

Willing Youths

Some advocates have voiced concern about the potential aggressive military recruitment of Hispanics. Yet many undocumented youth, like recruits who enlist now, are attracted to the U.S. Armed Forces because they offer substantial benefits, such as college tuition, job training and leadership opportunities. Most important, DREAM Act students would have choices: They could go to college. Or they could join the U.S. Armed Forces and have the option of getting their higher education underwritten. Some also will want to serve for patriotic reasons.

Oscar Vasquez, for example, spent four years in Junior ROTC dreaming of joining the U.S. military. At age 12, he had been brought to Phoenix, Arizona, by his parents. In 11th grade, however, his JROTC officer told him that his undocumented status barred him from serving. That, however, did not dampen his drive to succeed.⁶⁸

Instead, thinking engineering could be his path, he joined a high-school team building an underwater robot for the 2004 Marine Advanced Technology Education Center's Remotely Operated Vehicle Competition, a national contest sponsored in part by the Office of Naval Research and NASA. He and all three teammates at Carl Hayden High School were undocumented students from Mexico.⁶⁹

Better than MIT

Oscar put his excellent ROTC training to good use. He motivated his teammates, secured donations from area businesses and talked experts into giving them technical advice. In June 2004, the Carl Hayden team beat out better financed and older students, including the team from MIT. The undocumented students from a desert town won three of the four top awards for their aquatic robot. Judges not only named Oscar and his teammates the overall winner, but created an award to recognize their special achievement.⁷⁰

Yet after Oscar graduated that year, he could not enlist in the military or afford college. Instead, he got a job hanging sheet-rock. Then WIRED magazine wrote about the remarkable accomplishments of the high-school

students, and donations poured into a scholarship fund for them.⁷¹

Oscar enrolled in Arizona State University's (ASU) engineering school and started an underwater robotics team there. One of his teammates had dropped out of the same engineering program in part because "all the immigration issues were coming up."

The DREAM Act could also lessen the relative disparity of Hispanics in the U.S. military.

By 2008, Oscar was in his senior year at ASU. He had contemplated leaving the country to work as an engineer. But he was married to a U.S. citizen and intended to petition for legal status. "If (undocumented students) are here and do a good job in school, why can't you give a chance for those students?" he asked. "That's what this country needs. The country is already bringing in educated people from other countries to do that work."⁷²

When he graduated last year with a bachelor's degree in mechanical engineering, Oscar was honored for his leadership working with students at Carl Hayden High.⁷³

Educated, Unaccepted

The robotics club at Carl Hayden High School continued to excel in national competitions, and Allan Cameron, one of coaches of the 2004 winners, remained involved. He estimated that about half of the club's members were undocumented. Cameron tells them that their education will be an asset, although not in this country: "There will be people all over the world who will have you. The U.S. is too stupid to keep you."⁷⁴

Helping Dreamers One by One and at Great Effort

Fortunately for Juan and his brother, a private bill has been introduced in the Senate (and in the House) that will effectively protect them from deportation, but the DREAM Act as you and your cosponsors have proposed will ensure the other young people who have been raised as Americans can continue their lives here through military service.

John J. DeGioia, Georgetown University President ⁷⁵

The calls to FIAC come regularly: Help us save this wonderful student. Yet there are so many DREAM Act students, and so little time to help them. If they already have a final order of deportation, they could at any moment be shipped back to a homeland they don't remember. Typically we are asked to help after they already have been detained. Responding case by case takes tremendous effort. Some cases take more than a thousand hours of legal work alone.

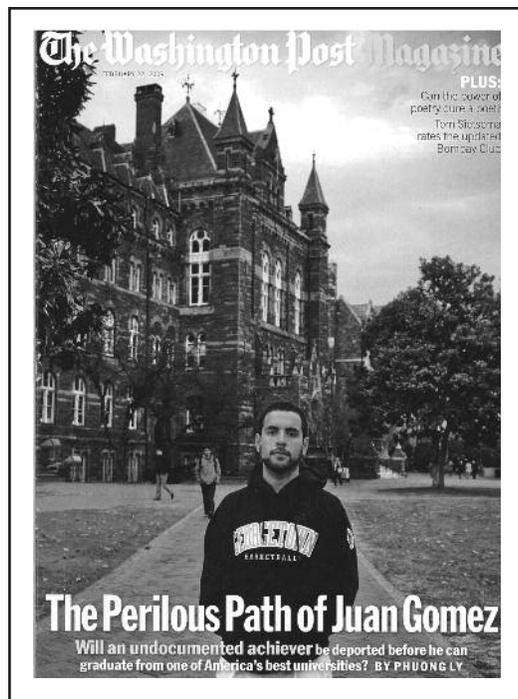
A nationwide coalition of DREAM Act activists, some documented and others not, has created national campaigns demanding relief for detained DREAM Act students.

These tech-savvy groups use online petitions, alerts, Facebook, Twitter and other media. ⁷⁶ They also stage old-fashioned rallies and innovative public events promoting news coverage, awareness and support of individual cases and the DREAM Act. Last year they organized a mock graduation on the steps of the U.S. Capitol with hundreds of students in cap and gown. ⁷⁷

Lucky students find pro bono immigration attorneys who help them petition ICE and represent them in immigration court. Even so, the options are limited. In rare instances, a senator will fill a private bill that will, in effect, protect a student from being deported until the end of the Congressional session. This is the case of Juan and Alex

Gomez featured below. More commonly, a formal request to ICE may result in release and deferral of deportation, as in the case of the Reyes brothers and others below. Whether through a private bill or deferred action, temporary relief from deportation allows DREAM Act youth to get work permits and driver's licenses. It helps them qualify for in-state tuition and to go to college.

Still, more often than not, DREAM Act youth are forced to leave this country by their limited options or deported by ICE with little public protest or acknowledgment.



The following are highlights of the more fortunate cases.

Almost Deported

Rousted from sleep by ICE agents one morning in July 2007, Juan and Alex Gomez became the faces of the DREAM Act when friends launched a Facebook campaign, and FIAC worked to secure a private bill for the brothers.

The family's asylum claim had been denied earlier, and ICE intended to deport them quickly. But the advocacy campaign, including a trip to Washington, D.C., by Juan and Alex's fellow students, yielded results. ⁷⁸

The Gomez family was released after a week in detention. Yet this success was bittersweet: Private bills filed by U.S. Rep. Lincoln Diaz-Balart, R-Miami, and U.S. Sen. Christopher Dodd, D-Conn., provided temporary legal status for Juan and Alex, but their parents were deported two months later.

When their parents fled Colombia in 1990 to seek political asylum in the United States, Juan and Alex were respectively ages 2 and 3. Growing up, they dressed up as Teenage Mutant Turtles, rented American action movies and played basketball and baseball in local leagues. ⁷⁹ They assimilated U.S. culture and lost all memory of Colombia.

As Juan described it:

“For 17 years I’ve been fortunate enough to call the United States home. I’ve looked hard into every corner of my mind and realize that, from what I can remember, every experience I’ve ever had, every drop of sweat I’ve spilled, every single friend I’ve made, every pledge of allegiance I have recited, and every pivotal point of development in my life has been in the United States. I have not other home.”⁸⁰

The brothers were exemplary DREAM Act candidates. Juan excelled in high school, with top grades, SAT scores and performance on 13 Advanced Placement exams. Alex volunteered at a local botanical garden, played football in high school, and was a student at Miami Dade College. His dream was to become a fire fighter.⁸¹

Even Lou Dobbs, the CNN news host who routinely took anti-immigration stances, had surprisingly supportive words for the brothers’ predicament at the time:

“I think in this case it’s clear there should be an exception made because you have a situation where somebody has been [here] 15, as much as 18 years who has been exemplary and through no fault of his or in other cases her responsibility. There’s no question that there should be an exception made.”⁸²

Still Excelling

Today, Alex still wants to become a fire fighter, but it will take him a long time to achieve that goal. Since he must support himself as well as pay for tuition, he has been working full-time and taking classes part-time at Miami Dade College. Though he recently lost his job due to a delay in having his work authorization renewed, he hopes to find new employment soon.

Juan attended Miami Dade Honors College for a year and then transferred to Georgetown University in August 2008. The prestigious school accepted him as an international student and offered a scholarship for

foreign students. A Good Samaritan also donated funds to help cover his expenses. Juan continued to excel. The Washington Post Magazine even featured him in a cover story on his triumphs and immigration troubles.⁸³ While majoring in finance in addition to business operations and technology, he has maintained a 3.8 grade-point average. He volunteers for a campus group that offers free business consulting services to non-profit organizations and is active in the university’s pro-immigrant groups, particularly in advocating for the DREAM Act.

For this coming summer, Juan has accepted an offer to intern at J.P. Morgan, a global financial services firm. Like other DREAM Act students, however, he worries about what might follow. The private bill filed by Sen. Dodd on his and Alex’s behalf will expire when a new Congress begins in early 2011, and their temporary status will expire along with it. With Sen. Dodd retiring, they will need another compassionate senator to file their bill next year.

Even if the brothers manage to extend their temporary status again, they will face other hurdles. “Obviously I’ve gotten a great education at Georgetown, but I can graduate without any

prospects for the future,” Juan said. “It will be difficult to get funding for graduate school. And what employer will want to hire me without permanent legal status? So I’ll have this degree and not be able to contribute to the country in any way.”⁸⁴

Juan and Alex have proven capabilities that would enrich this country. Their contributions will be lost, however, unless they have a means such as the DREAM Act to earn legal status.

Dedicated to Helping Others

Born in Mexico, Jose Luis Zacatelco was brought to New York City at age 11. He was 16 when he discovered his lack of status and its consequences. When he went to fill out college applications, he learned he would not be eligible for scholarships or for a driver’s license. He realized then that achieving academic goals would be tougher for him than for students with legal status.

*Every experience I’ve ever had,
every drop of sweat I’ve spilled, every
single friend I’ve made, every pledge
of allegiance I have recited, and every
pivotal point of development in my
life has been in the United States.
I have no other home.*

Juan Gomez, Sept. 4, 2007

Eventually Jose saved money and enrolled at LaGuardia Community College, but his status slowed his educational progress. Now 29, Jose still dreams of getting a bachelor's degree and a master's in mental-health counseling. He hopes to work at a junior high school where he could help immigrant teens facing similar struggles.

Meanwhile, frustrated at the limitations for undocumented youth, Jose cofounded the New York State Youth Leadership Council (NYSYLC) in 2006. The youth-led group is dedicated to improving educational access and other opportunities for young immigrants. It organizes students to protest, write letters, and lobby in Washington, D.C. The DREAM Act is the group's top legislative priority.⁸⁵



Jose Luis Zacatelco at Fiac's news conference on DREAM Act and Trail of Dreams.

Photo courtesy of Guillermo Reyes

As a volunteer for NYSYLC, Jose is involved in developing the group's leadership and has organized many workshops on the DREAM Act and on access to higher education. He also teaches "English as a Second Language" classes at a community non-profit organization.⁸⁶ "Immigrants come here thinking about the future of their children," Jose said. "The act supports everyone's dreams."⁸⁷

Inspired by the Trail of Dreams from Florida, Jose and five other NYSYL members began walking on April 10. In the grand tradition of American democracy, the Trail of Dreams NY arrived in Washington to lobby, protest and join the Florida walkers for a large rally on May 1 in the U.S. Capitol city.

Commuting While an Immigrant

Leslie Cocche, 18, had stayed up studying until 3 a.m.



Leslie Cocche

But she was at the commuter train station in Fort Lauderdale early on March 12, 2010, on her way to classes in Miami. A freshman at Miami Dade College, she had taken the train numerous times. She stood there like any student, backpack loaded down with books and rail pass hanging from her neck. Until Customs and Border Control (CPB) agents targeted and detained her. Fiac believes that Leslie was profiled. Out of many people waiting for the train, ICE zeroed in on only her to ask for identification. Tania Galloni, the Fiac attorney representing Leslie, notes: "The facts suggest that this was an act of discrimination. She looks Hispanic."⁸⁸

Equally disturbing, detaining a college kid with no criminal history runs counter to ICE's stated enforcement goals of targeting the most "dangerous criminals."⁸⁹ Her arrest and detention was a waste of limited government resources.

Leslie is a poster-child for the DREAM Act. Since she was brought to this country from Peru at age 10, she has shined in academics and contributions to the community. Leslie graduated in the top 15 percent of her high school class, was recognized with a Gold Award for achievement in Florida's standardized tests, and inducted into the National Honor Society. She was active in the Medical Science Club and one of 12 seniors chosen to intern at a local public hospital.

Full of Promise

Volunteering for everything from blood drives to environmental clean-ups, Leslie was recognized by her high school for hundreds of hours of community service. She also dances in a troupe that raises funds for charity, through benefit performances. Had she not been detained early on March 12, she would have participated in a fundraiser for victims of the recent Chilean earthquake.⁹⁰

Clearly she is, like many other DREAM Act candidates, a bright, talented, young student full of promise and committed to serving her community. Fortunately, advocacy by Fiac and the national network of youth-led DREAM Act activists worked. After 11 days in detention, ICE released her and deferred her deportation. In the long run, however, this temporary status prevents her and other undocumented youth from achieving their potential and contributing fully to the country they consider home.

Departed Dreamers: A Loss to the United States

“Several weeks after the 9/11 attacks, I walked in to the famous Times Square Armed Forces Recruitment Center. I wanted to serve MY country. When the recruiter told me I couldn’t, it really hit me that was not really MY country. In my heart I always thought it was. I was mad, frustrated, depressed.”

Janusz, former DREAM Act activist

Since the DREAM Act was introduced in Congress in 2001, countless high-achieving students have been deported or forced to leave the United States for lack of opportunity. Following are three examples that reflect the U.S. brain drain of homegrown talent.

A Rejected Patriot

“Janusz” considers himself a “person without a country.”⁹¹ Born in Poland behind the Iron Curtain, his family escaped to a refugee camp in Traiskirchen, Austria, where they applied for asylum in 1989. “This was a very traumatic experience for me,” he said. After months in the camp, they returned to Poland where the situation had improved due to the Solidarity Movement.

A couple of years later, an uncle who was a U.S. citizen invited the family for a visit. Tourist visas in hand, they arrived in Portland, Oregon. The uncle offered to sponsor them, and they settled down to begin a better life. Ultimately, the family moved to New York City.

There, Janusz excelled in public schools, made “great friends” and won a National Geographic geography competition. He even was invited to appear on a Carmen Sandiego show. “I was an American kid,” he said.

Then came the 9/11 attacks in 2001. He remembers walking to a class when it happened and wondering if he would survive since his high school was close to ground zero. The day was extremely difficult for him, but after walking through dust for 9 hours he made it home. Several weeks later, he went to the Times Square

Armed Forces Recruiting Station. He was crushed. His undocumented status prevented him from enlisting. “I wanted to serve MY country. When the recruiter told me I couldn’t, it really hit me that it was not really MY country,” Janusz said. “In my heart I always thought it was. I was mad, frustrated, depressed.”

Janusz graduated high school in 2002 and went on to college. The tuition was affordable because New York offered in-state tuition.

Fascinated by airports and travel, he chose to major in hospitality management. He recalls:

“Time went by. I completed college, volunteered, did the things I always thought America desired from its citizens. I decided not to give up. I decided to fight for the bill I thought was just and would help others in my situation: the DREAM Act. I remember fighting for it with the last ounce of energy in my body.

“We gathered thousands to lobby their congressman / woman and senators to support it. I did everything I could for that bill to pass, travelling to Washington to lobby, especially Sen. Durbin for its passage. I still remember spending the whole night calling the 100 senators, whose names I have memorized to this day.”

Janusz actually met Sen. Durbin, and later stayed up all night on the eve of the crucial DREAM Act vote in October 2007 falling asleep in his living room. Regrettably, the Senate fell short of the votes needed to continue the debate. The DREAM Act has not been voted on since.

After the vote, Janusz took it as a personal failure. Without legal status, he had few career prospects. “The night before the vote, I knew my life depended on it,” he said. He left for Europe in January 2008. Now 27, he has a steady job and decent pay as a hotel receptionist in Dublin. Yet after two years, he doesn’t feel settled. He misses familiar places, friends and family, particularly his 13-year-old sister who is a U.S. citizen.



Senator Dick Durbin meeting with the United States Student Association to discuss the DREAM Act.

*Photo courtesy of
www.durbin.senate.gov.*

"I feel lost. I literally do not know where I belong. My home is the United States. I miss eating Turkey on Thanksgiving Day and watching football, going to Yankees games, the things I did when I was growing up," Janusz said. "I didn't do anything to violate the terms of my old tourist visa. I entered the U.S. legally as a child."

Janusz would like to return to the United States, even if only to visit. He would like to see Sen. Durbin to thank him for his efforts on behalf of the DREAM Act. Even after all that has happened, he would want to enlist in the U.S. Navy or Air Force. It makes no sense for the U.S. to write off Janusz, who continues to love and want to contribute to this country.

Deported, Not Defeated

Julie Anne Ferrer is a survivor. She struggled in the United States as an undocumented child and continues to struggle as a deportee in an unfamiliar land. Yet she still studies and dreams of returning to the United States, where she grew up.

Julie was 3-years old when her mom brought her and her siblings to California from the Philippines in 1991. They settled in the San Francisco Bay area. Her youngest brother was born there. But by the time she reached high school, her mother and oldest brother had been deported. Julie and her sisters had to provide for themselves. She worked two jobs making less than minimum wage, the first one starting at \$3.50 per hour. As she recalled:

"Mind you, since I couldn't get a driver's license, I had to commute everywhere, from home to school, from school to work, from work to work, then from work to home. So you can imagine my exhaustion, there was no time left for other activities. But when I did have time, I would attend a youth for Christ group. It helped keep my spirits up."

Despite all her constraints, Julie managed to graduate

from high school with a 3.5 grade point average. She wanted to go to college. Yet circumstances intervened.

"My duties and predicament kept me from dreaming about high goals in the future of being a nurse, astronaut, or technician," she said. "My real dream was to have a normal life, be able to drive, go to school with a Social Security card, have health insurance, and have a stable job that paid at least minimum wage. And I didn't want to hide anymore, that's for sure."

Culture Shock

After living here for 17 years, Julie was deported in March 2008. She was 20-years old. Ironically, she said, "The immigration officers sympathized with me. They actually felt bad for deporting me because I was so innocent of the "crime."

The Philippines turned her world upside down.

I feel lost. I literally do not know where I belong. My home is the United States. I miss eating Turkey on Thanksgiving Day and watching football, going to Yankees games, the things I did when I was growing up.
 "Janusz", April 2010

"Before I left, I didn't know what to expect from a place I had never been to. And I didn't know how to speak the language. All I knew was that I was frightened. When I arrived, I was in total culture shock. A land full of poverty, no hope, and no place I would ever call home," she said. "I cried the whole first month I lived here, knowing that coming back home to California was nearly impossible."

Now 22, Julie is studying business administration and marketing at an international school. She says she can't afford a good university and hasn't been able to find a job since arriving in the Philippines. However, she has stepped back to "look back at the bigger picture." And she is still thinking of giving back to this country. "Now, I know that I want to major in business, and minor in psychology. And if I can become a successful business woman, I would love to help contribute to United States of America's success and think of different ways to do business with other countries," she said. "Business is booming in Asia Pacific, and if I can help move it to the

U.S., I would like to help to get the U.S. out of the recession. I know I am only one person, but each person can make a difference.”⁹²

Unjustly Punished

After 20 months in detention at BTC in Florida, Emy Sarjina gave up. She withdrew her federal court appeal and consented to deportation. After growing up and being educated in the United States, she was deported to Bangladesh at age 20.

Fleeing persecution, her parents brought Emy here when she was age 4 along with her two brothers. The parents bought a home and small business in Orlando, Florida. The entire family worked at the business and paid taxes. The children all went to Timber Creek High School. However, the parents lost the asylum case.

Emy was an honors student and planning to apply to colleges. She was hoping to study for a career in medicine. All that ended when ICE agents raided the home at 5 a.m. in June 2007. Her parents were quickly deported. Many friends and advocates campaigned for her release and relief from deportation. Nonetheless, Emy grew increasingly despondent in detention.

“I am 19 years old, and I feel like my life is flying by inside here,” she said after being detained seven months. “I came here [to the U.S.] when I was four years old. It wasn’t my choice to come, but I made friends along the way. Now I am being punished for something I have no control over.”⁹³

The National Immigration Forum calculated that her 20 months in detention cost taxpayers \$85,000.⁹⁴ The cost of her loss and that of other DREAM Act students: more than the United States can afford.

Conclusions and Recommendations

Every year that the DREAM Act or comprehensive reform is not enacted, 65,000 additional smart, ambitious, creative youths graduate high school and cannot achieve their full potential because of their undocumented status. They could be future PhDs, rocket scientists, computer engineers, teachers, judges and even U.S. senators some day. But without a way to legalize these students will not be able to fully shine or give back to the communities and the country they consider home.

This is tragic, not only for DREAM Act youth. It is a needless waste of talent for the United States as well.

This country's future hangs in the balance. We are competing with countries that are fast evolving knowledge-based industries. The world is undergoing a technological revolution. Will the United States be able to maintain prosperity as Baby Boomers retire and leave shortages of skilled workers in their wake? Will we have enough high-caliber military recruits to protect our national security?

Every day that another young dreamer sits in detention costs taxpayers' money. Every dreamer who cannot find a way to attend college is a loss of U.S. investment in their public school education. Every dreamer deported deprives us of their potential contributions to U.S. society.

Congress and the administration need to act to stop the colossal waste of talent that the United States can't afford. We recommend the following:

1) To the Administration: Immediately place a moratorium on detention and deportation for all potentially eligible DREAM Act candidates. This would include allowing them work permits and driver's licenses.

2) To Congress: Approve the DREAM Act with all due speed as a part of comprehensive immigration reform.

At the same time, Congress should eliminate the federal provision that penalizes states for offering in-state tuition regardless of status.

3) To State Governments: Enact laws to allow resident undocumented students access to in-state tuition at state colleges and universities.

- ¹Julia Preston, *To Overhaul Immigration, Advocates Alter Tactics*. *The New York Times*, Jan. 1, 2010. <http://www.nytimes.com/2010/01/02/us/02immig.html>
- ²Jeffrey S. Passel, *Further Demographic Information Relating to the DREAM Act*. Washington, DC: The Urban Institute, October 21, 2003, p. 1. http://www.nilc.org/immlawpolicy/DREAM/DREAM_Demographics.pdf
- ³Roberto G. Gonzales, *Young Lives on Hold: The College Dreams of Undocumented Students*. The College Board. April 2009, pp 7-8 and 13-14. <http://professionals.collegeboard.com/profdownload/young-lives-on-hold-college-board.pdf>
- ⁴Preston, *To Overhaul Immigration, Advocates Alter Tactics*. Jan. 1, 2010.
- ⁵Trail of Dreams website. March 2009. <http://www.trail2010.org/about/>
- ⁶Roberto G. Gonzales, *Young Lives on Hold: The College Dreams of Undocumented Students*. The College Board. April 2009, p 8.
- ⁷2008 New Century Scholars, Phi Theta Kapa. <http://www.ptk.org/schol/recipients/08/newcentury.php>
- ⁸Felipe Matos, *Turning Brown*. Notes from the Trail Blog. Jan. 26, 2010. <http://www.trail2010.org/blog/2010/jan/26/turning-brown/>
- ⁹Gaby Pacheco, *Walker from "The Big Apple."* Notes from the Trail Blog. Jan. 26, 2010. <http://www.trail2010.org/blog/2010/jan/23/walker-big-apple/>
- ¹⁰Carlos Roa, *Beyond a Walk*. Notes from the Trail Blog. March. 25, 2010. <http://www.trail2010.org/blog/2010/mar/25/beyond-walk/>
- ¹¹Juan Rodriguez, *In your town, this very day*. Notes from the Trail Blog. March. 25, 2010. <http://www.trail2010.org/blog/2010/mar/14/your-town-very-day/>
- ¹²Jeffrey S. Passel, *Further Demographic Information Relating to the DREAM Act*. Washington, DC. The Urban Institute, October 21, 2003, p. 1. http://www.nilc.org/immlawpolicy/DREAM/DREAM_Demographics.pdf; Jeanne Batalova & Michael Fix, *New Estimates of Unauthorized Youth Eligible for Legal Status under the DREAM Act*. Washington, DC: Migration Policy Institute, October 2006, 1. http://www.migrationpolicy.org/pubs/Backgrounder1_Dream_Act.pdf
- ¹³Field Trip May Lead to Deportation of 4. The Arizona Republic. July 12, 2002.
- ¹⁴Liane Hansen and Claudio Sanchez, *Group of Phoenix teens face possible deportation for being undocumented*. Weekend Edition National Public Radio. Sept. 8, 2002; Dan Frosch, *Four Arizona Students From Mexico Forestall Their Deportation*. *New York Times*. July 22, 2005; Scott Simon, *Commentary: Case of the 'Wilson 4.'* Weekend Edition. National Public Radio, Oct. 22, 2005.
- ¹⁵Nicholas Ricardi, *Reward For Excelling May be Deportation*. *The Miami Herald*. July 20, 2005.
- ¹⁶Daniel González, *Judge tosses case over profiling; feds plan appeal*. *The Arizona Republic*. July 22, 2005.
- ¹⁷DREAM Act: Basic Information. National Immigration Law Center. Washington, DC. March 2009. <http://www.nilc.org/immlawpolicy/DREAM/dream-basicinfo-2009-03-30.pdf>.
- ¹⁸'Wilson Four' Deportation Case Settled; Panel Says Students Wrongly Targeted. *The Arizona Republic*. Dec. 12, 2006.
- ¹⁹FIAC phone conversation with Judy C Flanagan, Immigration Attorney for the Wilson Four. March 5, 2010.
- ²⁰Id.
- ²¹Students Missed Lesson on Being Illegal. *The Arizona Republic*. July 19, 2002.
- ²²Plyler v. Doe, 457 U.S. 202 (1982) http://www4.law.cornell.edu/supct/html/historics/USSC_CR_0457_0202_ZO.html#457_US_202n17
- ²³Id.
- ²⁴Library of Congress, Thomas. <http://thomas.loc.gov>.
- ²⁵DREAM Act: Summary. National Immigration Law Center. Washington, DC. Updated March 2009, <http://www.nilc.org/immlawpolicy/DREAM/dream-bills-summary-2009-03-31.pdf>.
- ²⁶Id.
- ²⁷Id.
- ²⁸Id.
- ²⁹Passel, *Further Demographic Information Relating to the DREAM Act*. October 21, 2003, p. 1.
- ³⁰Batalova and Fix, *New Estimates of Unauthorized Youth Eligible for Legal Status Under the DREAM Act*. October 2006, p. 1.
- ³¹Id., p. 1.
- ³²Gonzales, *Young Lives on Hold*. April 2009, p. 12.
- ³³Id. pp.19-20
- ³⁴How much money does the United States spend on public elementary and secondary schools? *Fast Facts*, Institute of Education Sciences National Center for Education Statistics, U.S. Department of Education. . The statistics come from 2009 U.S. Bureau of Labor Statistics data on per pupil expenditure in constant dollars for public elementary and secondary schools. The sum of those expenditures from 1990-91 to 2005-06 school years totals \$101,000. U.S. Rep. Howard L. Berman, *The Introduction of the American DREAM Act of 2009*. Congressional Record. March 26, 2009, p E797. http://frwebgate.access.gpo.gov/cgi-bin/getpage.cgi?dbname=2009_record&page=E797&position=all
- ³⁵Jesus, Guillermo and Marcos Reyes Mendoza Merit Relief from Immigration Detention and Removal, letter from Eduardo J. Padrón, Ph.d, President, Miami Dade College. Nov. 17, 2009.
- ³⁷Id.
- ³⁸Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future. National Academies, Washington, D.C. 2007, p. 25. <http://www.nap.edu/openbook.php?isbn=0309100399>
- ³⁹Vivek Wadhwa, AnnaLee Saxenian, Ben Rissing, and Gary Gereffi, *America's New Immigrant Entrepreneurs*. Master of Engineering Management Program, Duke University; School of Information, U.C. Berkeley. January 4, 2007, pp. 3-5. http://www.kauffman.org/uploadedfiles/entrep_immigrants_1_61207.pdf.
- ⁴⁰Rising Above the Gathering Storm. 2007, p. 178: "[H]ighly skilled immigrants make a major contribution to U.S. education, research, entrepreneurship, and society.
- ⁴¹Therefore, it is important to encourage not only students and scholars to stay, but also other people with science, engineering, and mathematics PhDs regardless of where they receive their PhDs."
- ⁴²U.S. Doctoral Awards in Science and Engineering Continue Upward Trend in 2006, National Science Foundation/Division of Science Resources Statistics. Nov. 2007, Figure 2. <http://www.nsf.gov/statistics/infbrief/nsf08301/>.
- ⁴³Maurice Belanger, *Immigrants - Creating the Jobs Americans Want to Do*. ImmPolitc Blog. National Immigration Forum, Washington, D.C. March 5, 2010. <http://www.immigrationforum.org/blog/display/immigrants-creating-the-jobs-americans-want-to-do/>
- ⁴⁴Raúl Hinojosa-Ojeda, *Raising the Floor for American Workers*. Center for American Progress and Immigration Policy Center, Washington, D.C. January 2010, p. 7. <http://www.immigrationpolicy.org/special-reports/raising-floor-american-workers>.
- ⁴⁵Raúl Hinojosa-Ojeda, *Economic Stimulus through Legalization.*, William C. Velásquez Institue, San Antonio, Texas. Jan. 9, 2009. http://www.wcvi.org/intermestic_initiatives/FinalWCVIWhitePaperLegalization.pdf
- ⁴⁶Gonzales, *Young Lives on Hold*. April 2009, p. 13.
- ⁴⁷Id., pp. 13-14.
- ⁴⁸Id., p. 14. For example, College-educated individuals typically are more inclined than others to do volunteer work, donate blood, and have healthier habits – traits that benefit society overall.
- ⁴⁹Justin Lahart, *Will Retiring Boomers Lead to Too Many Open Jobs by 2018?* *Real Time Economics Blog*, *The Wall Street Journal*. March 22, 2010. <http://blogs.wsj.com/economics/2010/03/22/will-retiring-boomers-lead-to-too-many-open-jobs-by-2018/tab/article/>
- ⁵⁰Bao Q. Nguyen, *Tomorrow's workforce: the needs for immigrant workers and strategies to retain them*. *Entrepreneur*, Summer 2008. <http://www.entrepreneur.com/tradejournals/article/180402412.html>

- ⁵¹FIAC phone conversation with Noe Guzman, March 31, 2010.
- ⁵²Id.; Bill McClellan, *Town rallies for immigrant teen chasing dream*. *St. Louis Post-Dispatch*, March 11, 2009; Bill McClellan, *Watching dreams unravel*. *St. Louis Post-Dispatch*, March 25, 2009; Noe Guzman speaks at DREAM Act Senate Briefing, October 23, 2009. You Tube <http://www.youtube.com/watch?v=GNAVxzJnRcw&feature=related>. All sources used in recounting Noe's story.
- ⁵³FIAC phone conversation with Noe Guzman, March 31, 2010.
- ⁵⁴Margaret D. Stock, *Essential to the Fight: Immigrants in the Military Eight Years After 9/11*. Immigration Policy Center, Washington, D.C. November 2009, pp. 3, 5. www.immigrationpolicy.org/special-reports/essential-fight-immigrants-military-eight-years-after-911
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- ⁵⁶Margaret D. Stock, *The DREAM Act: Tapping an Overlooked Pool of Home Grown Talent to Meet Military Enlistment Needs*. The Federalist Society, Washington, DC. Engage: The Journal of the Federalist Societies Practice Group, Volume 6, Issue 2, October 2005, p. 100. http://www.fed-soc.org/doclib/20080313_IntStock.pdf
- ⁵⁷Id.
- ⁵⁸Miriam Jordan, *Bill Offers U.S. Citizenship for Military Service*; *The Wall Street Journal*. Sept. 21, 2007.
- ⁵⁹Gail H. McGinn, *Office of Personnel and Readiness, Strategic Plan for Fiscal Years 2010-12*. DOD, Washington, DC. Dec. 30, 2009, p. 8. [http://prhome.defense.gov/docs/FY2010-12%20PR%20Strategic%20Plan%20\(Final%20Public%20-%20signed\)\(4%20January\).pdf](http://prhome.defense.gov/docs/FY2010-12%20PR%20Strategic%20Plan%20(Final%20Public%20-%20signed)(4%20January).pdf)
- ⁶⁰Id.
- ⁶¹Donna Miles, *Officials Hope to Rekindle Interest in Immigration Bill Provision*. *American Forces Press Service*. June 11, 2007. <http://www.defense.gov/news/newswire/article.aspx?id=46369>; Bryan Bender, *Immigration bill offers a military path to US*. *Boston Globe*. June 16, 2007; Jordan, *Bill Offers U.S. Citizenship for Military Service*. Sept. 21, 2007.
- ⁶²DoD News Briefing with Bill Carr From the Pentagon. Oct. 13, 2009. <http://www.globalsecurity.org/military/library/news/2009/10/mil-091013-dod01.htm>
- ⁶³Id.
- ⁶⁴Beth J. Asch, Christopher Buck, Jacob Alex Klerman, Meredith Kleykamp, David S. Loughran *Military, Enlistment of Hispanic Youth: Obstacles and Opportunities*. RAND Corporation, Santa Monica, CA. Jan. 2009, p. 2. http://www.qascores.org/pubs/monographs/2009/RAND_MG773.pdf
- ⁶⁵Id., p. 3.
- ⁶⁶Id., pp. XV.
- ⁶⁷Gonzales, *Young Lives on Hold*. April 2009, p. 9.
- ⁶⁸Joshua Davis, *La Vida Robot*. *WIRED*, 13.04 (April 2005); http://www.wired.com/wired/archive/13.04/robot_pr.html.
- ⁶⁹Richard Ruelas, *Rocking the boat*. *The Arizona Republic*. July 31, 2008.
- ⁷⁰Spring Commencement 2009 - Pre-ceremony. *ASU News Now*. May 13, 2009. http://asunews.asu.edu/20090513_gallery_commcementpre#9.
- ⁷¹Ruelas, *Rocking the boat*. July 31, 2008
- ⁷²Richard Ruelas, *Rocking the boat*. *The Arizona Republic*. July 31, 2008.
- ⁷³Spring Commencement 2009 - Pre-ceremony. *ASU News Now*. May 13, 2009. http://asunews.asu.edu/20090513_gallery_commcementpre#9.
- ⁷⁴Ruelas, *Rocking the boat*. July 31, 2008
- ⁷⁵Letter from Georgetown University President John J. DeGioia to Sen. Durbin in support of his introduction of the DREAM Act. April 6, 2009.
- ⁷⁶Examples of these group are: DREAM Activist, United We DREAM Coalition 2009 <http://www.dreamactivist.org>, and Students Working for Equal Rights (SWER) <http://swer.org/home.htm>.
- ⁷⁷*Graduation Dreams*, Editorial. *The New York Times* <http://www.nytimes.com/2009/06/24/opinion/24wed2.html>.
- ⁷⁸David Sutta, *Save Juan Campaign Taking Their Fight To Congress*. *CBS4 News*. July 31, 2007.
- ⁷⁹Phuong Ly, *The Outsider*. *The Washington Post Magazine*. Feb. 23, 2009. <http://www.washingtonpost.com/wp-dyn/content/discussion/2009/02/13/DI2009021301295.html>
- ⁸⁰Juan Gomez, *Statement*. FIAC News Conference, Washington, D.C. Sept. 4, 2007.
- ⁸¹*Request for Exercise of Prosecutorial Discretion for Deferred Action to Stay Deportation and to Release Juan Sebastian Gomez and Alejandro Gomez*. FIAC Letter to ICE Field Office Director, Michael Rozos. July 27, 2007.
- ⁸²Lou Dobbs. *CNN*. July 31, 2007. Also noted in: Cheryl Little, *The Human Cost of Immigrant Bashing*, *Americas Quarterly*. Summer 2008. <http://www.americasquarterly.org/node/361>.
- ⁸³Ly, *The Outsider*. *The Washington Post Magazine*. Feb. 23, 2009. <http://www.washingtonpost.com/wp-dyn/content/discussion/2009/02/13/DI2009021301295.html>
- ⁸⁴FIAC telephone conversation with Juan Gomez, April 17, 2010.
- ⁸⁵NYSYLC website. <http://www.nysylc.org>.
- ⁸⁶*Trail of Dreams NY: Meet the NYC Walkers*. DREAM Activist. www.dreamactivist.org/trailofdreamsny
- ⁸⁷Claudia Cruz, *Students learn about the DREAM Act*. *The Queens Courier*. May 12, 2009. www.queenscourier.com/articles/2009/05/12/news/top_stories/doc4a09f4a958ea5209584424.txt
- ⁸⁸Enrique Flor, *Detienen a estudiante en Tri-Rail*. *El Sentinal from the South Florida Sun-Sentinel*. March 25, 2010. <http://southflorida.elsentinel.com/noticias/fl-elcom0327trirail-20100325,0,4666830.story>.
- ⁸⁹Dora Schrio, *Immigration Detention Overview and Recommendations*, ICE, Department of Homeland Security. Oct. 6, 2009, p. 16. http://www.ice.gov/doclib/091005_ice_detention_report-final.pdf.
- ⁹⁰*Request for Release and Deferred Action*, Leslie Cocche, ICE Detainee at Broward Transitional Center. FIAC letter to Michael Meade, ICE Field Office Director. Rch 19, 2010.
- ⁹¹"Janusz" is a pseudonym. The account of his experience is based on his email communication with FIAC, April 7-15, 2010.
- ⁹²Julie Anne Ferrer, *email communication with FIAC*. March 17-18, 2010.
- ⁹³*Vigil Held At Broward Detention Center For Three Detained Young People*. Press Release. Florida Immigrant Coalition, Miami, Florida. Feb. 22, 2008.
- ⁹⁴*Backgrounder: The Math of Immigration Detention*. National Immigration Forum, Washington, D.C. July 7, 2009. <http://www.immigrationforum.org/images/uploads/MathofImmigrationDetention.pdf>