

Erikc

WR 13300

Professor Clauss

December 15, 2015

DACA Status

Situation: As a student under the Deferred Action for Childhood Arrivals (DACA) program, I, along with many other students and families are greatly affected by the United States' current immigration laws. Due to my experience and encounters with others living a life that is negatively impacted by the present American laws, I would like to make my classmates aware of the DACA program and what it's like to live as a DACA student through a speech. There is a possibility that some of the class may know about DACA if they follow politics. Ultimately, I hope to make my audience aware of the United States' current immigration laws for students, so that they may be able to make a more informed decision when voting.

The '69 Chevy Camaro raced down the highway, rims flashing and engine roaring, with the Ford Mustang fastback in hot pursuit. Suddenly a gleaming lake came into view at the end of the road, and the air was rapidly filled with the smell of burning rubber, as the tires of both cars squealed against the asphalt, a sound silenced when tire met sand. The Camaro did not have enough time to stop and flew into the lake, immediately immersed under the water. The Mustang did and came to a halt right before reaching the sand.

"Mom, when are we going to see Dad?" I asked in Spanish, the only language I knew at the time, as I pulled the Camaro out from the puddle on the ground. I shook some of the dirty water off and wiped the car off on my pants. My mom glanced over from the bench she was sitting on, with my baby sister in her lap. "We will see him soon, I promise. Soon we will set foot on the land in which dreams come true, and we will be united again. And please, stop playing with that water, it is not clean." I nodded. I went back to playing with my toy cars, this time away from the puddle. The man in the uniform had been really nice to let me keep them, my mom had told me. I heard a scurrying, and turned to see a large grey rat running out of the room

we had been put into. I wished I was that small, so that I could fit in between the bars and let my mom and baby sister out, for I could tell that my mom did not like being here. My dad had made me promise him that I would take care of them while he went north to find a job so that he could buy more toy cars for me and a nice house for us to live in with plenty of food and a real stove to cook on.

I was two years old at the time this took place, and that night was our second attempt at crossing the border into the United States of America from Mexico in an effort to escape a life immersed in poverty, as countless others had done before us, and have continued to do so for years. At that time and age, I did not understand what my family and I were going through. Today, I understand all too well. I understand that although I am a contributing denizen of the United States, I am not a citizen. My name is Erikc, and I am an undocumented student under the Deferred Action for Childhood Arrivals (DACA) program, currently attending the University of Notre Dame. In delivering this speech to you, my Multimedia Writing and Rhetoric class, I hope to inform you about what it means to be a DACA student.

I would like to begin by explaining what DACA is, the process of obtaining it, and the benefits of the program. DACA is a program that was brought about by President Barack Obama, as an executive order in 2012. Christina Fiflis defines it as "...an executive branch policy decision, announced on June 15, 2012, by former U.S. Department of Homeland Security (DHS) Secretary Janet Napolitano. It defers immigration enforcement action against childhood arrivals to the United States who live here undocumented and meet specific eligibility requirements." This means that all who are eligible for this program may apply, and all of those who are accepted receive certain benefits.

The basic criteria to be eligible for the program include having a proof of identity, arriving in the United States before the age of sixteen, being under the age of thirty-one as of the date DACA was announced, proof of continuous residence, current enrollment in school or a high school diploma, and proof that the requestor does not pose a threat to the country (Fiflis). If the requestor meets all of these requirements, then he or she is able to request DACA. The first step in this process is to submit documents that prove eligibility and any required forms, as well as payment of the \$465.00 fee. If everything is verified and all requirements are met, then the next step would be a biometrics appointment. This appointment is used in essence to verify the identity of the requestor (Fiflis).

Once all of this has been approved, DACA status is granted to the requestor. Having DACA status does not grant citizenship, or offer any path to it. It does however give work authorization, the ability to obtain a driver's license, and protection from deportation, all for two years. If DACA status is wished to be upheld, the process must be repeated in order to renew status for another two years. This is basically what the DACA program is and what it offers to undocumented students.

This may seem to some like a large advance in American immigration policy, but in reality it is only like putting a small Band-Aid on a gushing arterial wound. Sure, I can drive now and get a job, and I am tremendously grateful for it. However, there are still several problems that I have had and am having to face as an undocumented student. When I was in high school, I was not affected too much by the fact that I was undocumented, because DACA was announced just in time for me to get my license around the time I was seventeen. I did however begin realizing that being undocumented would be a problem when I began looking into colleges and scholarships. I could not receive financial aid from the government, which meant that the only

aid I would get if I went to a state school would be from scholarships. So I started looking up scholarships. As it turned out, the grand majority of scholarships require citizenship, which I obviously didn't have. The only scholarships that I could apply for were DACA specific ones, which meant that I had very limited options.

All of this had a rather great effect on me when it finally came time to choose a college. My top three choices were the University of Miami, The University of North Carolina at Charlotte, and the University of Notre Dame. It turned out that Miami did not take undocumented students, and UNC Charlotte did not offer any aid, as it was a state school. I would also have to pay the out-of-state tuition to attend the university, which is twice as much as what all other denizens of North Carolina are charged. Opportunely, this was actually the second year that Notre Dame was accepting undocumented students. Although I could not receive federal aid, I was able to take advantage of Notre Dame's promise to meet 100% of student's demonstrated financial aid.

However, things suddenly turned sour when I found out that I would not be able to pursue my intended major here. As I am sure most of you know, the architecture program here at Notre Dame, my intended major, requires that all of the students go to Rome during the entirety of the third year. Being a DACA student, I can apply for a student permit that would enable me to study abroad. However, this can be risky. One, it is not guaranteed that you get the permit, and two, the longer you are out of the country, the greater the risk. Why? If there was a change in the immigration laws, then it is possible that the United States would not allow me back into the country, regardless of my DACA status. I had to make a decision, and after much thought, I decided that it was not worth the risk. I then changed my intended major to industrial design. I

personally find it unfair that a student cannot pursue the major of their interest because they cannot travel internationally.

Fortunately, there is hope. There are people out there who see the problem, see that not enough is being done about it, and have acted however they can to alleviate the situation. There are states that have passed bills that allow students to pay the in-state tuition at state universities, and there are many private universities that are working to provide better opportunities for students like me (Gonzales). As you can see, DACA status has several benefits, but I am still very limited as a student and suffer because of it.

As the presidential election is coming up, you may have heard candidates speaking about immigration and where the country is in regards to it now. I believe that the country is on the right path as a whole. The first step to solving any problem is to recognize that there is a problem, which has been done. Several solutions have already been proposed, none of which have been passed because of the political party conflict between the executive branch and Congress. This is why President Obama was left no alternative but to offer his own solution, DACA, through his executive power. As I mentioned before, DACA is not a true solution, but a temporary one. It is highly unlikely that a true solution will pass unless there is a president and majority in Congress of the same party.

Perhaps one of the best solutions that has been proposed is the DREAM Act. Many say that DACA is actually just a temporary version of the DREAM Act. This act is defined in the Georgetown Immigration Law Journal by Mike Warley as follows: “The DREAM Act was a longstanding immigration reform concept originally introduced in 2001 by Sen. Orrin Hatch (R-Utah). It was popular in many respects because it rewarded undocumented immigrants who entered the country as children and were productive or helpful members of the community”

(Warley). In other words, the difference would have been that unlike DACA, the DREAM Act would have offered citizenship. A reform like this is what the country needs. Undocumented students would then be able to study abroad without fear, we would be able to vote, and live in peace. Passing an immigration reform would give so many of us the opportunity to fully contribute to the country.

Yet there are still people out there who do not see how this would benefit America, even though the benefits are quite clear. Donald Trump, for instance, claims that we should build a wall on the Mexican-American border to prevent further illegal immigration. Perhaps he doesn't realize that that would be a stellar way to further increase this country's immense deficit. Here is a statistic provided by Linda Chavez that will hopefully put things into perspective: "The federal government now spends more on immigration-enforcement agencies, \$16.2 billion in fiscal year 2014, than on all other criminal-law-enforcement agencies combined, including the FBI, Drug Enforcement Administration, Federal Marshal Service, Secret Service, and the Bureau of Alcohol, Tobacco, and Firearms." As you can see, the government is paying sorely for its lack of action.

With an immigration reform, the government would be able to stem the flow of illegal immigration and minimize the substantial amount of money being spent on border patrol and deportations. With a reform, the government will be able to refocus that money not on people looking for jobs and opportunity, but on those who have ill intentions, such as terrorists. Not only will the existing money be able to be used for a better purpose, but there will be new money to contribute as well. The Congressional Budget Office recently released information which is covered in Elmendorf's article. Their statement declares that enacting an immigration reform would "...generate changes in direct spending and revenues that would decrease federal budget

deficits by \$197 billion over the 2014-2023 period.” As you can see, passing a reform would largely benefit the United States’ treasury. The American government and its people already know what needs to be done and have known for years. However, the government cannot take action because of the rivalry between its two dominant political parties, even though this is something that would benefit the country as a whole.

It is difficult for me to comprehend why the government refuses to pass such a reform. If I were dragging the country down, I would understand. If I was a criminal, or if I was unemployed. But I am not. I am a student at the University of Notre Dame, currently holding three jobs. I am now a contributing tax payer, thanks to DACA. I was brought to this country at the age of two, and it has been everything I have ever known. I love the United States, and I wish to contribute to it, and in turn to the world, as much as I possibly can. Yet I cannot, because of the lack of a card. It is hard for me to comprehend how there are criminals and people living solely off of the government, parasites to society. Yet they are American citizens. I am not. I am also not alone. “There are an estimated 2.1 million undocumented children and young adults in the United States who might be eligible for legal status under the DREAM Act” (“DREAM Act”). This is a figure offered by the American Immigration Council in 2011. This number has only grown from that day.

It is interesting to look at myself in the mirror every day and remind myself that I am not like my peers. Coming from the South, most of my closest friends are American, so the issues that we have had to deal with differ entirely. None of them have had to spend cold nights in jail as kids in order to flee a poverty and violence stricken country. None of them had to worry about the possibility of not being able to have a driver’s license, or a work permit. None of them had their scholarship and college choices severely limited. None of them have had to live with the

fear of being deported to a country which you do not remember. Or even worse, to have your parents deported, and have your family torn apart.

However, I am grateful. I am grateful that my family and I have been given the opportunity to work for a better life, a life that we could not have had in Mexico. I am grateful that we were able to escape being immersed in a life of woe. Even though at the moment opportunities are limited, I will not give up hope that one day soon, those limitations will vanish. Until that day, I am determined to work hard to prove to this country that I am can contribute just as much as my American neighbor. I hope that everyone here will take everything I have said today and remember it when the time comes to vote. Why? Because you can. You have the right to. I do not, because I lack a card. In delivering this speech, I hope that I have said the right words so that you will speak for me when it comes time to exercise this right. Perhaps one day I will not be muted by the government, and I will be able to contribute and cast my own vote.

Works Cited

- Chavez, Linda. "'Donald Trumps America: his notions about the evils of immigration are based on untruths that promote ideas noxious to conservatives and imperil the legacy of the Republican Party.'" 2015. *Opposing Viewpoints in Context*. Gale Group. December 2015. <<http://ic.galegroup.com/ic/ovic/AcademicJournalsDetailsPage/AcademicJournalsDetailsWindow?failOverType=&query=&prodId=OVIC&windowstate=normal&contentModules=&display-query=&mode=view&displayGroupName=Journals&limiter=&currPage=&disableHighlighting=true&di>>.
- Elmendorf, Doug. "The Senate's Proposed Immigration Reform Will Shrink the Deficit and Grow the US Economy." *Immigration*. Ed. Debra A. Miller. Farmington Hills, MI: Greenhaven Press, 2014. Current Controversies. Rpt. from "CBO Releases Two Analyses of the Senate's Immigration Legislation." 2013. *Opposing Viewpoints in Context*. Web. 13 Dec. 2015.
- Fiflis, Christina A. "Deferred Action for Childhood Arrivals." *GPSolo* 30.5 (2013): 28,30-32. December 2015. <<http://proxy.library.nd.edu/login?url=http://search.proquest.com/docview/1441520981?accountid=12874>>.
- Gonzales, Roberto G. "Imagined Futures: Thoughts on the State of Policy and Research Concerning Undocumented Immigrant Youth and Young Adults." *Harvard Educational Review* 85.3 (2015): 518-525. December 2015. <<http://hepgjournals.org/doi/abs/10.17763/0017-8055.85.3.518>>.

"The DREAM Act." May 2011. *American Immigration Council*. December 2015.

<<http://www.immigrationpolicy.org/just-facts/dream-act>>.

Warley, Mike. "Dream Deferred: Prosecutorial Discretion Allows Deferred Action for

Childhood Arrivals." *Georgetown Immigration Law Journal* (2011-2012): 461-466.

<<http://heinonline.org.proxy.library.nd.edu/HOL/Page?public=false&handle=hein.journals/geoimlj26&page=461&collection=journals#>>.